



# भारत का राजपत्र

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No. 50] NEW DELHI, SATURDAY, DECEMBER 14, 1968/AGRAHAYANA 23, 1890

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(एक मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ भेद्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकारों द्वारा जारी किए गए विविध घोषणाएँ।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

### ELECTION COMMISSION OF INDIA

#### ORDER

New Delhi, the 2nd December 1968

S.O. 4390.—Whereas, Shri Dhani Ram, resident of 6612, Dev Nagar, Karol Bagh, New Delhi-5 who was a contesting candidate for election to the House of the People from the Karol Bagh Constituency held in February, 1967 was disqualified by the Commission by its order No. DL-HP/7/67(1) dated the 20th January, 1968 under Section 10A of the Representation of the People Act, 1951 for his failure to lodge an account of election expenses required by the said Act and the Rules made thereunder;

Now, therefore, in exercise of the powers conferred by Section 11 of the said Act, the Election Commission of India, for the reasons recorded on the representation made by the said candidate Shri Dhani Ram has ordered that the period of disqualification imposed on the applicant Shri Dhani Ram by an order of the Election Commission of India dated the 20th January, 1968 for his failure to lodge the account of the election expenses as required by law, be and is hereby reduced to the period of the disqualification actually suffered by him up to the date of this order and that the unexpired portion of the aforesaid disqualification be and is hereby removed with effect from the said date.

[No. DL-HP/7/67.]

By Order,

A. N. SEN, Secy.

(5603)

## MINISTRY OF HOME AFFAIRS

New Delhi, the 3rd December 1968

**S. O. 4391.**—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the “Tripura Employees (Revision of Pay and Allowances) Rules, 1963”, namely:—

1. These rules may be called the "Tripura Employees (Revision of Pay and Allowances) Rules, 1968.

2. In Part I of Schedule I to the Tripura Employees (Revision of Pay and Allowances) Rules 1963.

(1) Under the heading "Industries Department after item No. 78, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

97. Superintendent Industries Programme for Rs. 200—10—300. Rs. 200—10—290—  
Amarpur Multipurpose Block EB—10—400.

98. Majdoor. Rs. 20-1-25 Rs. 60-1/2-65-1-75.

(ii) Under the heading "Courts", after item No. 29, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

30. Stenographer Sub-Judge's Court/Addl. Sub-Judge's Court/Addl. District Judge's Court. Rs.125-5-215- 10-275. Rs.175-7-238-EB- 7-245-8-325.

(iii) Under the heading "District Administration, after item No. 44, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

44-A. Draftsman . . . . . R1.80—4—180. R5.150—5—195—EB  
—5—250.

(iv) Under the heading "Printing and Stationery Deptt." after item No. 23, the following entries shall be inserted, under columns 1, 2, 3, and 4 respectively :—

24. Head Clerk . . . . . Rs. 130—5—180. Rs. 200—10—300.

(v) Under the heading "Panchayati Raj Office", after item No. 6, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively:—

7. Panchayat Organiser . . . . . Rs. 150—300 Rs. 200—10—400.

(vi) Under the heading "Education Department" after item No. 140, the following entries shall be inserted under columns 1, 2, 3 and 4 respectively :—

141. Instructor for Health and Sanitation . . . . . Rs. 100-5-215-10 Rs. 175-7-238-RB  
—225. —7-245-8-925  
(for those with at least 3 years' diploma from a recognised institution.)

142. Instructor for Agriculture and Animal Husbandry. Rs. 100—5—215—10 Rs. 175—7—238—13  
—225. —7—245—8—325  
(for those with at least 3 years diploma from a recognised institution.)

(vii) Under the heading "Civil Supplies Department", after item No. 5, the following entries under columns 1, 2, 3 and 4 shall be inserted :—

(v ii) Under the heading "Food Section" after item No. 22, the following entries under columns 1, 2, 3 and 4 shall be inserted:—

23. Driver . . . . . Rs. 79-3-105. Rs. 100-3-136-4  
—140.

(ix) Under the heading "Printing and Stationery Deptt." after item No. 24, the following entries under columns 1, 2, 3 and 4 shall be inserted:—

25. Peon . . . . . Rs. 30/- fixed. Rs. 60—1/2—65—1—  
75.

(x) Under the heading "Medical and Public Health Department" after item No. 39, the following entries under columns 1, 2, 3 and 4 shall be inserted:-

40. Store-cum-Diet Clerk	Rs. 55—3—88—EB— 3—118—4—130.	Rs. 125—3—140—4 —156—EB—4— 200.
41. Assistant-Nurse-cum-Midwife	(i) Rs. 55—3—88—EB —3—118—4—130	Rs. 65—3—80—4— 96—EB—4—140.
Assistant Nurse/Midwife	(ii) Rs. 60—3—90.	
42. Staff Nurse/Junior Staff Nurse/Junior Nurse.	(i) Rs. 100—4—144 —EB—4—180—5 200.	Rs. 125—3—140—4 —156—EB—4— 200.
	(ii) Rs. 90—4—130.	

(xi) Under the heading "Rehabilitation Department" the entry after item No. 17, relating to the post of Internal Auditor shall be renumbered as item No. 17(A).

(xii) Under the heading "Industries Department" the entries after item No. 79 relating to the post of Development Officer shall be renumbered as item No. 79(A).

(xiii) Under the heading "Police Department" the entries after item No. 25 relating to the post of Driver shall be renumbered as item No. 25(A).

(xiv) Under the heading "Public Works Department", in column 4, against item No. (8) the sign (i) shall be added before the scale of Rs. 200—10—290—EB—10—400. Under column No. 3, against the same entry, the sign (ii) occurring before the scale of Rs. 100—5—155—EB—5—215—10—225 shall be deleted.

(xv) Under the heading "Public Works Department", the entries against S. No. (33) to (35) relating to the posts of Hindyman, sub-Overseer and Work Assistant shall be renumbered as S. No. 36, 37, and 38. The entries from S. No. (33) to S. No. (52) beginning from the post of Hindyman to Mistry shall be renumbered as S. No. 36 to (55).

(xvi) Under the heading "Agriculture Department", the entries against S. No. (37), shall be deleted.

[No. 2/17/67-HMT(1)]

R. C. GUPTA, Under Secy.

—  
New Delhi, the 5th December 1968

S.O. 4392.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the president hereby makes the following rules further to amend the Authentication (Orders and other Instruments) Rules, 1958, namely:—

1. (1) These rules may be called the Authentication (Orders and other Instruments) Seventh Amendment Rules, 1968.

(2) They shall come into force on the date of their publication in the official Gazette.

2. In clause (y) of rule 2 of the Authentication (Orders and other Instruments) Rules, 1958, after the words "Joint Director (Stock Exchange) or" the words "Joint Director (Accounts) or" shall be inserted.

[No. 3/14/68-PUB.L]

K. R. PRABHU, Jt. Secy.

## MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 4th December 1968

S.O. 4393.—Statement of the Affairs of the Reserve Bank of India, as on the 22nd November, 1968

## BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	50,14,45,000
		Rupee Coin	3,80,000
Reserve Fund	80,00,00,000	Small Coin	4,23,000
National Agricultural Credit (Long Term Operations) Fund	143,00,00,000	Bills Purchased and Discounted :— (a) Internal	—
		(b) External	—
National Agricultural Credit (Stabilisation) Fund	33,00,00,000	(c) Government Treasury Bills	260,45,56,000
National Industrial Credit (Long Term Operations) Fund	55,00,00,000	Balances Held Abroad*	111,36,84,000
		Investments**	125,31,29,000
Deposits —		Loans and Advances to :—	
(a) Government—		(i) Central Government	—
(i) Central Government	55,99,34,000	(ii) State Governments@	92,63,04,000
		Loans and Advances to :—	
		(i) Scheduled Commercial Banks†	19,84,24,000
		(ii) State Co-operative Banks††	221,72,44,000
		(iii) Others	2,06,27,000

		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund—	
(ii) State Governments	5,49,44,000	(a) Loans and Advances to—	
		(i) State Governments . . . . .	31,60,20,000
		(ii) State Co-operative Banks . . . . .	14,81,83,000
		(iii) Central Land Mortgage Banks . . . . .	..
(b) Banks—		(b) Investment in Central Land Mortgage Bank Debentures . . . . .	8,53,61,000
(i) Scheduled Commercial Banks	166,96,46,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund—	
(ii) Scheduled State Co-operative Banks	6,07,70,000	Loans and Advances to State Co-operative Banks . . . . .	5,30,89,000
(iii) Non-Scheduled State Co-operative Banks	82,61,000		
(iv) Other Banks . . . . .	30,93,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund—	
(v) Others . . . . .	329,61,61,000	(a) Loans and Advances to the Development Bank . . . . .	6,26,71,000
Bills Payable . . . . .	32,82,55,000	(b) Investment in bonds/debentures issued by the Development Bank . . . . .	..
Other Liabilities . . . . .	52,69,55,000	Other Assets . . . . .	36,64,79,000
Rupees . . . . .	966,80,19,000	Rupees . . . . .	966,80,19,000

\*Includes Cash, Fixed Deposits and Short-term Securities.

\*\*Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@ Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary over-drafts to State Governments.

†Includes Rs. 17,56,48,000 advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 27th day of November 1968.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 22nd day of November, 1968

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	30,14,45,000		Gold Coin and Bullion:—		
Notes in circulation	<u>3179,98,12,000</u>		(a) Held in India	115,89,25,000	
Total Notes issued	<u>3210,12,57,000</u>		(b) Held outside India	..	
			Foreign Securities	<u>226,42,00,000</u>	
			TOTAL		342,31,25,000
			Rupee Coin		84,76,64,000
			Government of India Rupee Securities		2783,04,68,000
			Internal Bills of Exchange and other commercial paper		..
Total Liabilities	<u>3210,12,57,000</u>		Total Assets		<u>3210,12,57,000</u>

Dated the 27th day of November, 1968.

L. K. JHA,  
Governor.

[No. F. 3(3)-BC/68.]

New Delhi, the 5th December 1968

S.O. 4394—Statement of the Affairs of the Reserve Bank of India as on the 29th November, 1968.

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital paid up	5,00,00,000	Notes	54,25,50,000
		Rupee Coin	9,74,000
Reserve Fund	80,00,00,000	Small Coin	4,45,000
National Agricultural Credit (Long Term Operations) Fund	143,00,00,000	Bills Purchased and Discounted:—	
		(a) Internal	..
		(b) External	..
		(c) Government Treasury Bills	280,01,21,000
National Agricultural Credit (Stabilisation) Fund	33,00,00,000	Balances Held Abroad*	91,52,07,000
		Investments**	97,74,90,000
National Industrial Credit (Long Term Operations) Fund	55,00,00,000	Loans and Advances to:—	
		(i) Central Government	
		(ii) State Governments @	90,87,21,000

LIABILITIES	Rs.	ASSETS	Rs.
Deposits :—		Loans and Advances to :—	
(a) Government		(i) Scheduled Commercial Banks†	15,44,17,000
(i) Central Government . . . . .	55,80,48,000	(ii) State Co-operative Banks†	226,12,53,000
(ii) State Governments . . . . .	7,86,54,000	(iii) Others . . . . .	3,66,77,000
(b) Banks		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
(i) Scheduled Commercial Banks . . . . .	154,29,47,000	(a) Loans and Advances to :—	
(ii) Scheduled State Co-operative Banks . . . . .	6,41,03,000	(i) State Governments . . . . .	31,56,68,000
(iii) Non-Scheduled State Co-operative Banks . . . . .	92,43,000	(ii) State Co-operative Banks . . . . .	14,71,79,000
(iv) Other Banks . . . . .	17,88,000	(iii) Central Land Mortgage Banks . . . . .	..
(c) Others . . . . .	332,82,81,000	(b) Investment in Central Land Mortgage Bank Debentures	8,53,61,000
Bills Payable . . . . .	35,16,78,000	Loans and Advances from National Agricultural Credit (Stabilisation) Fund :—	
Other Liabilities . . . . .	54,02,51,000	Loans and Advances to State Co-operative Banks	5,30,54,000
	Rupees 1 . . . . . 963,49,93,000	Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund :—	
		(a) Loans and Advances to the Development Bank	6,26,71,000
		(b) Investment in bonds/debentures issued by the Development Bank . . . . .	..
		Other Assets . . . . .	37,92,05,000
			Rupees 1 . . . . . 963,49,93,000

\* Includes Cash, Fixed Deposits and Short-term Securities.

\*\* Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund

† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

‡ Includes Rs 9,63,38,000 advanced to scheduled commercial banks against usance bills under section 17(4) (c) of the Reserve Bank of India Act.

†† Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund

Dated the 4th day of December, 1968.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 29th day of November, 1968  
 ISSUE DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Notes held in the Banking Department	54,25,50,000	Gold Coin and Bullion :—	
Notes in Circulation	<u>3156,88,59,000</u>	(a) Held in India	115,89,25,000
Total Notes issued	3211,14,09,000	(b) Held outside India	
<b>TOTAL LIABILITIES</b>	<b>3211,14,09,000</b>	Foreign Securities	<u>226,42,00,000</u>
		<b>TOTAL</b>	<b>342,31,25,000</b>
		Rupee Coin	85,78,16,000
		Government of India Rupee Securities	2783,04,68,000
		Internal Bills of Exchange and other commercial paper	
		<b>TOTAL ASSETS</b>	<b>3211,14,09,000</b>

Dated the 4th day of December, 1968.

L. K. JHA,  
 Governor.

[No. F. 3(3)-BC/68.]  
 V. SWAMINATHAN, Under Secy.

(Department of Economic Affairs)

New Delhi, the 5th December 1968

**S.O. 4395.**—In pursuance of sub-section (2) of section 21 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government, on the recommendations of the Board of Directors of the Industrial Finance Corporation of India hereby fixes 5 per cent per annum as the rate of interest payable on the bonds to be issued by the said Corporation in January, 1969 and maturing on the 1st January, 1970.

[No. F.2(59)-Corp/68.]

M. K. VENKATACHALAM,  
Director (Investments).

(प्रथ विभाग)

नई दिल्ली, 5 दिसम्बर 1968

**एस० ओ० 4396.**—श्रीदोगिक वित्त नियम अधिनियम, 1948 (1948 का 153) की धारा 21, उप-धारा (2) का अनुसरण करते हुए, कन्वीन चर्कार ने भारतीय श्रीदोगिक वित्त नियम के नियमों के बोर्ड की सिफारशों के अनुसार नियम द्वारा जनवरी 1969 में जारी किये जाने वाले बांदों पर जिनकी अवधि पहली जनवरी 1970 को समाप्त होगी, वेद बृज की दर एतद्वारा 5 प्रतिशत वार्षिक निर्धारित की है।

[स० एफ० 2(59)-कारपोरेशन/68.]

एम० क० बैकटाचलम, नियेशक (नियेश)।

(Department of Revenue and Insurance)

ESTATE DUTY

New Delhi, the 30th November 1968

**S.O. 4397.**—In exercise of the powers conferred by sub-section (2A) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Government hereby appoints Shri H. A. Shah, Director of Inspection (Income-tax) as an Appellate Controller of Estate Duty with Head Quarters at Delhi and makes the following amendments in the Schedule to the notification of the Government of India in the Ministry of Finance, (Department of Revenue and Company Law) No. 35/F. No. 1/20/64-E.D. dated 22nd May, 1964, namely :

In the Schedule to the said notification for, the entry,

“Shri M. S. Nadkarni, Director of Inspection (Income-tax) Delhi”.

The following entry shall be substituted, namely :

“Shri H. A. Shah, Director of Inspection (Income-tax) Delhi.”

2. This notification shall be deemed to have come into force on the 17th October, 1968.

[No. 31/F. No. 1/9/67-E.D.]

**S.O. 4398.**—In exercise of the powers conferred by sub-section (2A) of Section 4 of Estate Duty Act 1953 (34 of 1953), the Central Government hereby appoints Shri G. R. Raghvan Assistant Commissioner of Income-tax as an Appellate Controller of Estate Duty with headquarters at Madras and makes the following amendments in the schedule to the notification of the Government of India in the Ministry of Finance (Department of Revenue and Company Law) No. 35/F. No. 1/20/64-ED dated 22nd May, 1964 namely:—

In the Schedule to the notification, for the entry

“5 Shri U. N. N. Rao  
Assistant Commissioner of Income-tax.”

The following entry shall be substituted namely:

"5 Shri G. R. Raghavan.

Assistant Commissioner of Income-tax."

This notification shall be deemed to have come into force on the forenoon of 24th June 1968.

[No. 33 (No. F. 1/9/67-ED.]

S. BHATTACHARYYA, Dy. Secy.

**MINISTRY OF COMMERCE**

(CARDAMOM CONTROL)

*New Delhi, the 2nd December 1968*

**S.O. 4399.**—Shri I. L. Sankaranarayanan, Secretary, Cardamom Board, Ernakulam, is granted earned leave for 33 days with effect from the 18th November, 1968 to 20th December, 1968 with permission to prefix Sunday the 17th November, 1968 and suffix the holiday and Sunday on the 21st and 22nd December, 1968 respectively to his leave.

In pursuance of sub-section (2) of section 7 of the Cardamom Act, 1965 (42 of 1965), the Central Government hereby appoints Shri R. Viswanathan, Superintendent in the Cardamom Board, to officiate as Secretary, Cardamom Board, in addition to his duties, during the period of leave of Shri Sankaranarayanan.

[No. 29(78)Plant(B)/68.]

(COFFEE CONTROL)

**S.O. 4400.**—In pursuance of sub-section (1) of section 9 of the Coffee Act, 1942 (7 of 1942), the Central Government hereby appoints Shri C. V. Subramanian, Senior Deputy Chief Coffee Marketing Officer, to officiate as Chief Coffee Marketing Officer, Coffee Board, Bangalore, in addition to his own duties, with effect from the forenoon of the 15th April, 1968, until further orders.

[F. No. 9(16)Plant(B)/68.]

**B. KRISHNAMURTHY, Under Secy.**

(Office of the Chief Controller of Imports and Exports)

*New Delhi, the 7th November 1968*

**S.O. 4401.**—In exercise of the powers conferred by clause 9(cc) of the Imports (Control) Order, No. 17/55, dated 7th December, 1955, as amended from time to time, the undersigned hereby cancels the import licence No. G/DG/2104327/C/XX/21/C/H/21.22 dated 22nd, September, 1965 for Rs. 25671/-, (Exchange Control copy unutilised), for the import of "Spare parts" falling under serial No. 76(B)/V. of the I.T.C. Schedule issued in favour of M/s. Singer Sewing Machine Co. Bombay.

The reason for cancellation of this licence is that it has been lost and a duplicate copy of the same is being issued to enable the firm to effect remittance to the foreign supplies.

[File No. 48-S/Cont/65-66/GLS/380.]

S. A. SESHAN,  
Dy. Chief Controller of Imports & Exports.

**Office of the Deputy Chief Controller of Imports & Exports**

**ORDER**

*New Delhi, the 8th November 1968*

**S.O. 4402.**—A licence No. P/SS/1622705 dated 7-12-67 of the value of Rs. 640 for the import of Copper, Zinc and Lead was issued to M/s. Mahesh Engg. Works, Metiganj, Bharthana, Distt. Etawah.

2. Thereafter a Show Cause Notice of even. no dated the 28th Sept. 1968 was issued asking them to Show Cause why the said license in their favour should not be cancelled on the grounds that the said licence was reported to have been tampered with so as to alter the value and description of goods which was a breach of rules and regulations relating to the import of goods.

3. In response to the aforesaid Show Cause M/s Mahesh Engg. Works, Motiganj, Bharthana (Distt. Etawah) had by their letter dated the 4th Oct. 1968 furnished a detailed explanation and contended that they had no knowledge about this matter as the licence was submitted by them to a firm of Industrial Advisers to get the goods imported for them who after some time informed them that the licence was misplaced and was not traceable. The firm desired the licence to be cancelled.

4. The undersigned has carefully examined the said explanation and has come to the conclusion that pending further proceedings the said licence should be cancelled.

5. Having regard to what has been stated in the preceding paragraphs the undersigned is satisfied that the licence in question should be cancelled on otherwise rendered ineffective. Therefore, the undersigned in exercise of powers vested in him under clause 9(d) of Imports (Control) Order 1955 hereby cancels the licence No. P/SS/1622703 dated 7-12-67 for Rs. 640 issued in favour of M/s Mahesh Engg. Works, Motiganj, Bharthana, Distt. Etawah.

[No. Ent. I(108)/1968/Kan].

SARDUL SINGH,  
Dy. Chief Controller of Imports & Exports.

(Office of the Joint Chief Controller of Imports and Exports)

(Central Licensing Area)

ORDERS

New Delhi, the 20th November 1968

S.O. 4403.—M/s. Durga Plastics, 193-Deshbandhu Gupta Market, New Delhi were granted an import licence No. P/S/1611685/C/XX/27-30/D/25-26 dated 27th June, 1968 for the import of (i) Rigid Plasticized Sheets with Vicat Softening Point above 70°C and (ii) Cellulose Acetate Butyrate Moulding Powder on General Area for Rs. 10,000/- (Rs. Ten thousand only). They have applied for the issue of duplicate copy of both Customs as well as Exchange Control copy thereof on the ground that original licence in duplicate has been misplaced without having been utilized and without having been registered with any Custom House.

2. The applicant have filed an affidavit on stamped paper in support of their contention as required under para 299(2) read with Appendix 8 of the I.T.C. Hand Book of Rules and Procedure, 1968. I am satisfied that the original licence (in duplicate) has been misplaced and

3. In exercise of the powers conferred on me under clause 9(cc) Imports (Control) Order, 1955 dated 7th December, 1955 as amended up-to-date, I order cancellation of both customs as well as exchange control copy of licence No. P/S/1611685/C/XX/27-30/D/25-26 dated 27th June, 1968.

4. The applicants are now being issued a duplicate copy both of customs as well as exchange control copy of the said import licence in accordance with para 299(2) of I.T.C. Hand Book of Rules and Procedure, 1968.

[No. D-3/AM-68/AU-UT/CLA.]

New Delhi, the 22nd November 1968

S.O. 4404.—A licence No. P/SS/1611352/C dated 22nd May, 1968 of the value of Rs. 712/- for import of Permissible Components of Radios was issued to M/s. Lakshmi Narain & Co., 15/5-B, Main Road, Gandhi Nagar, Delhi-31.

2. Thereafter, a show cause notice No. L-2/68/Euf/CLA/5451 dated 3rd September, 1968 was issued asking them to show cause within 15 days as to why the said licence in their favour should not be cancelled on the ground that the Central Govt. is satisfied that the licence will not serve the purpose for which it was granted in terms of Clause 9, sub-clause (cc) of the Import (Control) Order, 1955.

3. The said firm have not sent any reply to said show cause notice.

4. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licence in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned in exercise of the powers vested in him under Clause 9 sub-clause (cc) of the Imports (Control) Order, 1955 hereby cancel the licence No. P/SS/1611352/C dated 22nd May, 1968 for Rs. 712/- issued in favour of M/s. Lakshmi Narain & Co; 15/5-B, Main Road, Gandhi Nagar, Delhi-31.

[No. L-2/68/ENF/CLA/8454.]

*New Delhi, the 28th November 1968*

**S.O. 4405.**—A licence No. P|SS|1607945|C|XX|25|C|D|23-24 dated 7th October, 1967 of the value of Rs. 2123/- for import of Copper and Tin was issued to M/s. Sujan Singh Charanjit Singh, 19, Sector 2-A, Chandigarh subject to the condition that the goods imported against this licence shall be used only in the licence holder's factory and no portion thereof shall be sold to any other party or utilized or permitted to be used in any other manner.

2. Thereafter, a show cause notice No. S-7/68/CLA/ENF/3393 dated 22nd July, 1968 was issued asking them to show cause within 15 days as to why the said licence in their favour should not be cancelled on the ground that this licence will not serve the purpose for which it had been granted in terms of Clause 9, sub-clause (cc).

3. M/s. Sujan Singh Charanjit Singh, Chandigarh, have not sent any reply to the said show cause notice.

4. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licence in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned, in exercise of the powers vested in him under Clause 9 sub-clause (cc) of the Imports (Control) Order, 1955 hereby cancel the licence No. P/SS/1607945/C/XX/25/C/D/23-24 dated 7th October, 1967 for Rs. 2123/- issued in favour of M/s. Sujan Singh Charanjit Singh, Chandigarh.

[No. S-7/68/ENF/CLA/8703.]

*New Delhi, the 4th December 1968*

**S.O. 4406.**—A licence No. P/SS/1611099/C dated 3rd May 1968 of the value of Rs. 2235/- for import of Copper, Zinc & Tin was issued to M/s. Gurbux Singh & Co., Industrial Estate, Oatalon, T. M. Samrala, Distt. Ludhiana subject to the conditions that all the items of goods imported under it shall be used only in the licence holder's factory and no portion thereof shall be sold to any other party or utilized or permitted to be used in any other manner.

2. Thereafter, a show cause notice No. G-3/68/ENF/CLA/7113 dated 17th October 1968 was issued asking them to show cause with 15 days as to why the said licence in their favour should not be cancelled on the ground that the Central Government is satisfied that the licence will not serve the purpose for which it was issued in terms of Clause 9, sub clause (cc) of Imports (Control) Order, 1955.

3. The show cause notice has been received back un-delivered with the remarks of the Postal Authorities "Left without address" etc. which shows that the firm is not in existence.

4. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licence in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned, in exercise of the powers vested in him under Clause 9 sub-clause (cc) of the Imports (Control) Order, 1955 hereby cancel the licence No. P/SS/1611099/C dated 3rd May 1968 for Rs. 2235/- issued in favour of M/s. Gurbux Singh & Co., Industrial Estate, Oatalon, T. M. Samrala, Distt. Ludhiana.

[No. G-3/68/ENF/CLA/8956.]

*New Delhi, the 5th December 1968*

**S.O. 4407.**—A licence No. P/SS/1601626/C dated 30th March 1968 of the value of Rs. 1936/- for import of Components of Radios was issued to M/s. Hindustan Rolling Shutters & Engg. Works, 8159, Yadav Bldg., Sarai Peenai Thala, P.O. Azadpur, Delhi-38 subject to the condition that all the items of the goods imported under it shall be used only in the licence holder's factory and no portion thereof shall be sold to any other party or utilized or permitted to be used in any other manner.

2. Thereafter, a show cause notice No. H-9/68/CLA/7588 dated 31st October 1968 was issued asking them to show cause within 15 days as to why the said licence in their favour should not be cancelled on the ground that the Central Government is satisfied that the licence will not serve the purpose for which it was granted in terms of Clause 9, sub-clause (cc) of the Imports (Control) Order, 1955.

3. In response to the aforesaid show cause notice, M/s. Hindustan Rolling Shutters and Engg. Works, 8159, Yadav Building, Sarai Peepal Thala, P. O. Azadpur, Delhi-38 had furnished no explanation, as the notice came back undelivered with the remarks of the Postal Authorities "Firm closed". The said firm are, therefore, not in existence.

4. Having regard to what has been stated in the preceding paragraph, the undersigned is satisfied that the licence in question should be cancelled or otherwise rendered ineffective. Therefore, the undersigned, in exercise of the powers vested in him under Clause 9, sub-clause (cc) of the Imports (Control) Order, 1955 hereby cancel the licence No. P/SS/1610626/C dated 30th March 1968 for Rs. 1936/- issued in favour of M/s. Hindustan Rolling Shutters and Engg. Works, 8159, Yadav Building, Sarai Peepal Thala, P. O. Azadpur, Delhi-38.

[No. H-9/68/ENF/CLA/9057.]

J. S. BEDI,  
Jt. Chief Controller of Imports & Exports.

(Office of the Chief Controller of Imports & Exports)

ORDERS

New Delhi, the 2nd December 1968

**S.O. 4408.**—The Principal, Polytechnic, Hassan were granted an import licence No. A603670/61 dated 28th August, 1962 for rupees 5,020/- (Rupees five thousand and twenty only). They have applied for the issue of a duplicate Customs Purposes Copy of the said licence on the ground that the original customs purposes copy has been lost/misplaced. It is further stated that the original customs purposes copy was registered with the Customs Authorities at Bombay and was not utilised at all.

2. In support of this contention, the applicant has filed an affidavit to the effect that the said customs copy of import licence was registered with customs authority at Bombay, and was not utilised at all. I am accordingly satisfied that the original customs purposes copy of the said licence has been lost. Therefore, in exercise of the powers conferred under Sub-clause 9 (cc) of the Imports (Control) Order 1955 dated 7th December, 1955 as amended, the said original customs purposes copy of licence No. A 603670/61 dated 28th August 1962 issued to the Principal, Polytechnic Hassan is hereby cancelled.

3. A duplicate customs purposes copy of the said licence is being issued separately to the licensee.

[No. Tech/MYS-7/1-62/LVD/ILS.]

New Delhi, the 5th December 1968

**S.O. 4409.**—Messrs Doaba Stud & Agricultural Farm, Pisawa Fort, Distt. Aligarh, were granted an import licence No. P/AU/1253804, dated the 7th January, 1967, for Rs. 48,000 for import of one Stallion. They have applied for duplicate exchange control copy of the licence on the ground that the original exchange control copy of the licence has been lost or misplaced after having been registered with the State Bank of India, LHO, Parliament Street, New Delhi. It is further stated that the original exchange control copy of the licence was not utilised. In support of this contention, the applicant has filed an affidavit. I am satisfied that original exchange control copy of licence No. P/AU/1253804, dated the 7th January, 1967, has been lost or misplaced and direct that a duplicate exchange control copy should be issued to the applicant. The original exchange control copy of the licence is cancelled.

[No. Horse/14/AM67/LVB/ADHOC/476.]

S. K. USMANI,  
Dy. Chief Controller of Imports & Exports.

## (Office of the Chief Controller of Imports &amp; Exports)

## ORDER

New Delhi, the 3rd December 1968

**S.O. 4410.**—Order No. 30 (202)/62-63/CG. III/1656 dated 3rd October, 1968 regarding cancellation of the Customs Purpose Copy of Import licence No. P/CG/2048561/T/CZ/23/C/23/CGIII dated 27th September, 1966 issued to M/s. Tinsukia Flour Mills, Assam is hereby cancelled as the Customs Purpose Copy of the license has since been found by the licensee.

[No. 30(202)/62-63/CGIII/1874.]

Miss S. K. GREWAL,

Deputy Chief Controller of Imports &amp; Exports.

## MINISTRY OF FOOD- AGRICULTURE, COMMUNITY DEVELOPMENT &amp; COOPERATION

## (Department of Agriculture)

New Delhi, the 2nd December, 1968

**S.O. 4411.**—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 read with rule 34 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following amendments in the schedule to notification of the Government of India in the late Ministry of Agriculture No. SRO.634-A, dated the 28th February, 1957, namely:—

In the said Schedule,

(1) in Part I—General Central Service, Class III, after the existing entries the following heading and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
“Tractor Training Centre Hissar All Posts.	Director, Tractor Training Centre, Hissar.”	Director, Tractor Training Centre, Hissar.	All	Deputy Secretary, Ministry of Food, Agriculture, Com- munity Development and Cooperation (Department of Agriculture)”;

(2) in Part II—General Central Service, Class IV, after the existing entries the following heading and entries shall be inserted, namely:—

(1)	(2)	(3)	(4)	(5)
“Tractor Training Centre, Hissar All posts.	Director, Tractor Training Centre, Hissar.	Director Tractor Training Centre, Hissar.	All	Deputy Secretary, Ministry of Food, Agriculture, Com- munity Development and Cooperation (Department of Agriculture).

[No. 3-12/68-MY]

P. I. DAVID, Under Secy.

## (Department of Agriculture)

New Delhi, the 3rd December 1968

**S.O. 4412.**—In pursuance of rule 3A of the Animal Welfare Board (Administration) Rules, 1963, the Central Government, after consultation with the Animal Welfare Board, hereby nominates Shri G. R. Rajagopaul, member, Animal Welfare Board, as Vice-Chairman of that Board.

[No. 18/18/68-L.D.III.]

SANTOKH SINGH, Under Secy.

## MINISTRY OF PETROLEUM &amp; CHEMICALS

New Delhi, the 29th November 1968

**S.O. 4413.**—Whereas by a notification of the Government of India in the Ministry of Petroleum & Chemicals S.O. 3194 dated 14th August, 1968 under sub-section (1) of section 3 of the Petroleum pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the Schedule appended to that notification for the purpose of laying pipeline;

And whereas, the Central Government, has, under sub-section (1) of section 6 of the said Act, submitted report to the Government.

And whereas, the Central Government, has, after considering the said report, decided to acquire the right of user in the lands specified in the Schedule appended to this notification.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the Schedule appended to this notification is hereby acquired for laying the pipelines and in exercise of the powers conferred by sub-section (4) of that section, the Central Government directs that their right of user in the said lands, shall instead of vesting in the Central Government, vest on the date of the publication of this declaration, in Oil and Natural Gas Commission free from all encumbrances.

## SCHEDULE

State : Gujarat	Disrtt. : Mehsana	Tal. : Kalol		
village	S.No.	Hectare	Arc.	P. Arc.
Dhamsan	891/1+2	..	3	20

[No. 29/5/68-IOC.]

R. S. GOPALAN, Under Secy.

## MINISTRY OF HEALTH, FAMILY PLANNING &amp; U.D.

## (Department of Health)

## DRUGS SECTION

New Delhi, the 29th November 1968

**S.O. 4414.**—The following draft of rules further to amend the Drugs and Cosmetics Rules, 1945, which the Central Government proposes to make, after consultation with the Drugs Technical Advisory Board, in exercise of the powers conferred by section 12 and 33 of the Drugs and Cosmetics Act, 1940 (23 of 1940), as published as required by the said sections for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 15th March 1969.

2. Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government:—

*Draft Rules*

1. These rules may be called the Drugs and Cosmetics (Amendment) Rules, 1968.

2. In the Drugs and Cosmetics Rules, 1945, in rule 65,

(i) in sub-rule (12), for the words "Substances specified in Schedule E", the following words shall be substituted, namely:—

"Substances specified in Schedule E which are unprocessed form or which are intended for dispensing purposes".

(ii) after sub-rule (17) the following sub-rule shall be inserted, namely:—

"(18) The licensee shall store drugs which bear a date of expiry on the labels separately from drugs which do not bear a date of expiry on their labels."

[No. F. 1-23/68-D.]

L. K. MURTHY, Under Secy.

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**MINISTRY OF EDUCATION**

**[Cultural Activities Division (I)]**

*New Delhi, the 28th November 1968.*

**S.O. 4415.**—The following draft of certain rules further to amend the Ancient Monuments and Archaeological Sites and Remains Rules, 1959, which the Central Government proposes to make in exercise of the powers conferred by section 38 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), is hereby published for general information as required by sub-section (1) of that section.

Any objections or suggestions that may be received by the Central Government in the Ministry of Education on or before December 31, 1968 will be considered.

*Draft Rules*

1. These rules may be called the Ancient Monuments and Archaeological Sites and Remains (Amendment) Rules, 1968.

2. In the Ancient Monuments and Archaeological Sites and Remains Rules, 1959,—

(a) in rule 5, for the proviso to sub-rule

(1), the following proviso shall be substituted, namely:—

"Provided that an archaeological officer, or any officer of the Archaeological Survey of India authorised by him in this behalf, may, by notice to be exhibited in a conspicuous part of a protected monument, direct that the protected monument or part thereof shall—

(i) be kept open beyond the said period; or

(ii) be closed temporarily for such period as may be specified in the notice.";

(b) in rule 6,—

(i) for the word "twenty naye paise", the words "fifty paise" shall be substituted;

(ii) the following proviso shall be inserted at the end, namely:—

"Provided also that the Director-General may, by order, direct that, on such occasions and for such periods as may be specified in the order, no fee shall be charged for entry into a protected monument or part thereof.";

(c) for the First Schedule and the Second Schedule, the following Schedules shall be substituted, namely :—

## "FIRST SCHEDULE

Hours during which certain monuments or parts thereof will remain open (vide rule 5)

Serial No.	State	District	Locality	Name of monument	Part of monument which shall remain open during hours other than from sunrise to sunset	Hours of opening
1	2	3	4	5	6	7
1	Andhra Pradesh	Hyderabad	Hyderabad City	Char Minar	(i) Second storey and upwards (ii) Remaining area	(i) From 9 a.m. to 5.30 p.m. or sunset whichever is earlier. (ii) From sunrise to 10 p.m.
2	Bihar	Patna	Kumrahar	Site of Mauryan Palace	Whole	From 9 a.m. to 5.30 p.m. or sunset whichever is earlier.
3	Bihar	Patna	Nalanda (Bargaor)	All mounds, structures and buildings enclosed in the acquired area	Fenced area containing excavated remains	Do.
4	Delhi	Delhi	Delhi Zail	Afsar Wala-ki-Masjid	Garden	From Sunrise to 10 p.m.
5	Delhi	Delhi	Delhi Zail	Gateways of Abadi Bagh Bu Halima	Garden	Do.
6	Delhi	Delhi	Delhi Zail	Jantar Mantar	Whole	Do.
7	Delhi	Delhi	Delhi Zail	Kotla Firoz Shah	Garden	Do.
8	Delhi	Delhi	Delhi Zail	Tomb of Afsar Wala	Garden	Do.
9	Delhi	Delhi	Delhi Zail	Tomb of Khan Khanan	Garden	Do.
10	Delhi	Delhi	Mehruli Zail	Group of buildings at Hauz Khas	Garden	Do.
11	Delhi	Delhi	Mehruli Zail	Qutab archaeological area	Garden	Do.
12	Madras	South Arcot	Gingee	Fortress including monuments on Krishnagiri and Rajagiri hills	Whole	From 9 a.m. to 5.30 p.m. or sunset whichever is earlier.

13	Maharashtra	Aurangabad	Ajanta	Ajanta Caves	Whole	Do.
14	Maharashtra	Aurangabad	Aurangabad	Tomb of Rabia Daurani (Bibi-ka-Maqbara)	Garden	From sunrise to 10 p.m.
15	Maharashtra	Bombay (Suburban)	Kanheri	Buddhist Caves	Whole	From 9 a.m. to 5:30 p.m. or sunset whichever is earlier
16	Maharashtra	Kolaba	Gharapuri	Elephanta Caves	Whole	Do.
17	Maharashtra	Poona	Karla	Cave temples and inscrip- tions	Whole	Do.
18	Mysore	Bangalore	Bangalore	Tipu Sultan's Palace	Garden	From sunrise to 10 p.m.
19	Mysore	Bijapur	Bijapur	Gol Gumbaz	Garden	Do.
20	Mysore	Mandy	Seringapatam	Daria Daulat Bagh	(i) Palace	(i) From 9 a.m. to 5:30 p.m. or sunset whichever is earlier
					(ii) Garden	(ii) From sunrise to 10 p.m.
21	Mysore	Mysore	Somanathpur	Kesava temple	Whole	From 9 a.m. to 5:30 p.m. or sunset whichever is earlier
22	Rajasthan	Ajmer	Ajmer	Marble pavilion and Whole balustrade on the Ana- sagar Bind and the ruins of the marble Hamam behind the Anasagar Dam		From sunrise to 10 p.m.
23	Uttar Pradesh	Agra	Agra	Taj Mahal	Whole	From sunrise to 10 p.m. On full-moon days and four day preceding and following from sunrise to 12 p.m. (midnight)
24	Uttar Pradesh	Lucknow	Lucknow	Residency buildings	(i) Model Room	(i) From 9 a.m. to 5:30 p.m. or sunset whichever is earlier
					(ii) Garden	(ii) From sunrise to 10 p.m. <sup>*</sup>

## SECOND SCHEDULE

*Monuments or parts thereof entry into which can be had only on payment of fee (vide rule 6)*

Serial No.	State	District	Locality	Name of monument	Part of monument for which payment of fee is required
1	2	3	4	5	6
1	Andhra Pradesh	Hyderabad	Hyderabad City	Char Minar	Second storey and upwards
2	Bihar	Patna	Kumrahar	Site of Mauryan Palace	Whole
3	Bihar	Patna	Nalanda (Bargaon)	All mounds, structures & buildings enclosed in the acquired area	Fenced area containing excavated remains
4	Delhi	Delhi	Delhi Zail (Shahjahanabad)	Delhi Fort	Archaeological Area
5	Delhi	Delhi	Delhi Zail	Humayun's Tomb, its platform, gardens, enclosure walls and gateway	Whole
6	Delhi	Delhi	Delhi Zail	Jantar Mantar	Whole
7	Delhi	Delhi	Delhi Zail	Tomb of Safdarjung with all its enclosure walls, gateway, garden and the mosque on the east side of the garden	Whole
8	Delhi	Delhi	Mehrauli Zail	Outb Archaeological area	Minar of Qutbuddin
9	Madhya Pradesh	Chattarpur	Khajuraho	Western group of temples	Whole except the Matangesvara temple
10	Madhya Pradesh	Raisen	Sanchi	Buddhist Monuments	Whole
11	Madras	South Arcot	Gingee	Fortress including monuments on Krishnagiri and Rajagiri hills	Whole
12	Maharashtra	Aurangabad	Ajanta	Ajanta Caves	Whole
13	Maharashtra	Aurangabad	Aurangabad	Tomb of Rabia Daurani (Babi-ka-Maqbara)	Monuments and gardens within the enclosure wall and gateway
14	Maharashtra	Aurangabad	Ellora	Ellora Caves	Cave No. 16 (Kailasa)
15	Maharashtra	Bombay (Suburban)	Kanheri	Buddhist Caves	Whole
16	Maharashtra	Kolaba	Gharapuri	Elephanta Caves	Cave Nos. 1 to 5 and fenced area in front

17	Maharashtra	Poona	Karla	Cave temples and inscriptions	Whole
18	Mysore	Bijapur	Bijapur	Gol Gumbaz	The Mausoleum
19	Mysore	Mandyā	Seringapatam	Daria Daulat Bagh	Palace
20	Mysore	Mysore	Somanathpur	Kesava temple	Whole
21	Rajasthan	Chittorgarh	Chitor	Fort of Chitor	Victory Tower
23	Uttar Pradesh	Agra	Agra	Agra Fort	Archaeological area
23	Uttar Pradesh	Agra	Agra	Itimad-ud-Daula's Tomb	Whole
24	Uttar Pradesh	Agra	Agra	Taj group of monuments	The Taj and its garden and grounds including the Jawaab on the east the pavilions on east and west sides of the grounds as well as all the towers (except the two towers flanking the Masjid) and the Great South Entrance Gateway with the cloisters on its flanks, the old Mughal Aqueduct in the Taj with the Central Marble Tank, the well at the Taj Garden and the drinking fountain in the west enclosure wall of the Taj garden.
25	Uttar Pradesh	Agra	Fatehpur Sikri	Fatehpur Sikri group of monuments	The entire area bounded on the south by the compound wall to the south of Jodhabai Palace and further eastwards by the road leading to the southern entrance of Diwan-i-Am quadrangle; on the east by the Diwan-i-Am quadrangle, on the north by the walls enclosing the Diwan-i-Khas Ankh-Michauli, Hospital, Zanana Garden and Birbal's daughter's palace, on the west by the wall enclosing the horses' stable.
26	Uttar Pradesh	Agra	Sikandara	Akbar's Tomb	Whole
27	Uttar Pradesh	Lucknow	Lucknow	Residency buildings	Model Room."

[No. 28/1/68-CAI(I).]

P. GANGULEE,  
Deputy Secy.

MINISTRY OF IRRIGATION AND POWER

ORDER

*New Delhi, the 2nd December 1968*

**S.O. 4416.**—In exercise of the power conferred by Sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956, the Central Government hereby directs that the provisions of—

- (i) Rule 118(a)
- (ii) Rule 119(1) (a), and
- (iii) Rule 123(7)

of the said Rules shall be relaxed in respect of the use of the following apparatus in conjunction with one No. 2½ Cubic Yards 3.3KV Tata P&H Model 955A Electric Shovel, Serial No. T-1197.

- (1) One manually operated gang type fuse protected 100 amps, 5.2KV (G.E.C.) disconnecting Switch,
- (2) One 5,000 volts, 3 phase, Oil contactor assembly G.E.C. make,
- (3) One 180 H. P., 3.3KV, 3 phase, Harnischfeger Corporation make Motor No. 268567,
- (4) One 180 H. P., 3.3KV, 3 phase, Auto Transformer Heavy Duty Co. make, No. 3-652004,
- (5) One 8KVA, 3.3KV/440/115/105 volts, 3 phase, 50 cycles transformer for lighting and blower, Heavy Duty Co. make Serial No. 17-39007,
- (6) One length of 200 metres, 4 crore, 3.3KV, 91/0.018" A.T.C. wire VIR insulated, 7/0.028" C.S. standard and finally sheathed with special rubber compound Type 32/C, Indian Cable Co. Make flexible trailing cable,

in the open cast mine at Noamundi Iron Ore Mines of M/s. Tata Iron and Steel Co. Ltd., to the extent that (1) in relaxation of Rule 118(a), the portable motor driving generator set in the shovel may be used at 3.3KV, (2) in relaxation of Rule 119(1) (a), one 8KVA, 3.3KV/440/115/105 volts, 3 phase transformer for lighting and blower with its associated equipment using energy at high voltage may not be fixed apparatus as being installed on portable shovel moving from place to place, the same having a portable sense, (3) in relaxation of Rule 123(7), the flexible cable not exceeding 200 meters in length may be used with a portable machine and that the relaxation shall be subject to the following conditions :—

- (1) The 3.3KV supply to the flexible cable shall be provided with earthleakage protection.
- (2) The over-current trips of the circuit breaker controlling 3.3KV supply to the flexible cable shall be in keeping with the rating of the 3.3KV motor driving the generator set, installed in the portable machine.
- (3) The installation and wirings inside the shovel shall comply with the relevant provisions of the Indian Electricity Rules, 1956, in particular, Rules 115—117, 121, 124 and 125.
- (4) The flexible trailing cable shall be connected to the electric supply system and the machine by properly constructed connector boxes or totally enclosed safe attachments.
- (5) The excavating machine along with the flexible trailing cable shall be worked and handled with due care so as to avoid danger arising out of any electrical defect or in the use. The insulation resistance of the high voltage circuit including the driving motor, shall at no time be less than 10 megohms.
- (6) The operators of the shovel shall be trained and authorised for operating the shovel with competency and due care to avoid danger.
- (7) The unarmoured flexible cable shall be replaced by pliable armoured flexible cable for adequate current carrying capacity at an early date under intimation to the Central Government through the Deputy Director of Mines Safety (Electrical-Hqs), Dhanbad.

Provided that the aforesaid relaxation shall be valid for such time as the said machine is in use in the mine and due information shall be given to the Central Government through the Deputy Director of Mines Safety (Electrical), as soon as the machine is taken out of the mine.

[No. EL.II-6(2)/68.]

M. RAMANATHAN,  
Deputy Director (Power).

MINISTRY OF TRANSPORT & SHIPPING

(Directorate General of Shipping)

ORDER

Bombay, the 12th November 1968

**S.O. 4417.**—In pursuance of note (3) of the schedule to the notification of the Government of India in the Ministry of Transport and Shipping relating to scales of provision for seamen, No. S.O. 2169, dated 21st June 1967, and in furtherance of the order of the Director General of Shipping, No. 9(21)-CRA/67, dated the 24th April, 1968, I, K. C. Madappa, Director General of Shipping, hereby order that for a period of six months with effect from the date of this order, the total daily scale of cereal rations of 570 grams shall stand amended to 350 grams rice and 170 grams wheat, if procurement is made in India.

2. As a compensation for the reduction of 50 grams in the rice rations, the scale of other items shall be increased per day as under for each unit of 25 grams :—

- 10 grams of fresh fish, or
- 5 grams of meat, or
- 50 grams of dry vegetables, or
- 25 grams of fresh vegetables.

[No. 9(21)-CRA/67.]

K. C. MADAPPA,  
Director General of Shipping.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 3rd December 1968

**S.O. 4418.**—In supersession of this Ministry's Notification of even number dated the 11th October, 1968, and in exercise of the powers conferred by Section 3 of the Cinematograph Act, 1952 (37 of 1952) read with proviso below sub-rule 2 of rule 4 of the Cinematograph (Censorship) Rules, 1958, the Central Government hereby appoints Shri M. V. Desai an officer of the CIS Cadre to act as Chairman, Central Board of Film Censors with additional charge of the post of Adviser, Planning Commission, with headquarters of both the posts at Delhi during the period he holds dual charge with effect from the afternoon of 11th October, 1968 for a period upto six months vice Shri R. P. Naik, proceeded on Fellowship of the Centre for International Affairs Harvard University, Massachusetts.

[No. 2/90/68-F(C).]

H. B. KANSAL, Under Secy.

सूचना और प्रसारण मंत्रालय

नं० दि ली, 3 दिसम्बर, 1968

एस० ओ० 4419.--- 11 अक्टूबर, 1968 की इसी संख्या की अधिसूचना को निष्प्रभाव करते हुए तथा चलचित्र (सेंसर) नियमावली, 1958 के नियम 4 के उपनियम 2 के नीचे के उपबन्ध के साथ पठित चलचित्र अधिनियम, 1952 (1952 का 37वा) की धारा 3 के द्वारा दिये गये अधिकारों का प्रयोग करते हुऐ, केन्द्रीय सरकार ने एतद् द्वारा केन्द्रीय सूचना सेवा संवर्ग के अधिक रूप से श्री एम० वी० देसाई को योजना आयोग में सलाहकार के अतिरिक्त कार्यभार के साथ साथ इस अधिसूचना की तिथि से 6 महीने तक केन्द्रीय फिल्म

ससर बोड, बम्बई का प्रध्यक्ष नियुक्त किया है। दोनों पदों के कार्यभार संभालने तक दोनों पदों का मध्यालय, दिल्ली रहेगा। यह नियक्ति श्री आर० पी० नायक, जो सेंटर फार इंटरनेशनल अफयर्स (हरवर्ड) यूनिवर्सिटी, मसाचुसेट्स की शिक्षावृत्ति पर गये हैं, के स्थान पर की गई है।

[ फाईल संख्या 2/90/68-एफ० सी० ]

हरि बाबू कंसल,  
अवर सचिव।

### ORDER

New Delhi, the 29th November 1968

S.O. 4121.—In exercise of the directions issued under the provisions of each of the enactments specified in the First Schedule annexed hereto, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the film specified in column 2 of the Second Schedule annexed hereto in Gujarati to be of the description specified against it in column 6 of the said Second Schedule.

### THE FIRST SCHEDULE

- (1) Sub-Section 4 of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XVII of 1953).
- (3) Sub-Section (4) of Section 5 and Section 9 of the Saurashtra Cinemas (Regulation) Act, 1953 (Saurashtra Act XVII of 1953).

### THE SECOND SCHEDULE

No.	Title of the film	Length 35 mm	Name of the applicant	Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news & current events or a documentary film
1	2	3	4	5	6
1	Mahitichitra No. 101.	272 80 M	Director of Information, Government of Gujarat, Ahmedabad-15.		Film dealing with news and current events (For release in Gujarat Circuit only).

[No. F.24/1/68-FP/App. 1306]

BANU RAM AGGARWAL, Under Secy.

### MINISTRY OF INDUSTRIAL DEVELOPMENT & COMPANY AFFAIRS

(Department of Industrial Development)

### ORDER

New Delhi, the 3rd December 1968

S.O. 4421.—In exercise of the powers conferred by section 18G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby

makes the following Order further to amend the Scooters (Distribution and Sale) Control Order, 1960, namely:—

1. This Order may be called the Scooters (Distribution and Sale) Control (Second Amendment) Order, 1968.

2. In clause 2 of the Scooters (Distribution and Sale) Control Order, 1960 (hereinafter referred to as the said Order), for sub-clause (d), the following sub-clause shall be substituted, namely:—

(d) "Scooter" means a scooter of any description, manufactured or assembled in India, or manufactured in India from components imported into India, or manufactured in India or partly imported and partly manufactured in India, and includes—

- (i) every description of a scooter, whether called a Scooterette, a moped, an auto-cycle or by any other name, and
- (ii) a three-wheeler, whether called an auto-rickshaw, a delivery van, or by any other name.

3. In clause 5 and Schedule I of the said Order, the word "motor-cycle", wherever it occurs, shall be omitted.

[No. F. 5(19)/67-A.E.I.(I).]

R. V. SUBRAHMANIAN, Jt. Secy.

## (Department of Industrial Development)

## (Indian Standards Institution)

New Delhi, the 21st November, 1968

**S.O 4422**—In pursuance of sub-regulation (1) of Regulation 8 of the Indian Standards Institution (Certification Marks) Regulations 1955, as subsequently amended, the Indian Standards Institution hereby notifies that Ninety-two licences, particulars of which are given in the Schedule hereto annexed, have been renewed.

## THE SCHEDULE

Serial No.	Licence No. and date	Period of Validity From	To	Name and Address of the Licensee	Article/Process covered by the licence and the Relevant Indian Standard No.
1	2	3	4	5	6
1	CM/L-15, 13-9-1956	1-10-68	30-9-69	M/s. Bombay Suburban Village Industries Association, Flag Section, Gramodyog Wadi, 38/42 Dockyard Road, Bombay-10 DD.	The National Flag of India, (cotton khadi)—IS : 1-1951.
2	CM/L-20, 24-10-1956.	16-10-68	15-10-69	M/s. Shree Digvijay Cement Co. Ltd., Sikka (Saurashtra).	Ordinary, Rapid Hardening and Low Heat Portland Cement—IS : 269-1958.
3	CM/L-31, 4-9-1957.	16-9-68	15-9-69	M/s. Tata Fison Industries Ltd., Union Bank Building, Dalal Street, Fort, Bombay-1.	BHC DP—IS : 561-1962.
4	CM/L-104, 7-10-1958.	1-11-68	31-10-69	M/s. E.I.D. Parry Ltd., Nellikuppam, South Arcot, Distt. Madras.	Rectified Spirit—Grade A—IS : 323-1952.
5	CM/L-139, 28-8-1959	16-10-68	15-10-69	M/s. Tata Fison Industries Ltd., Palluruthy, Cochin, Kerala State.	DDT WDP—IS : 565-1961.
6	CM/L-140, 28-8-1959.	16-10-68	15-10-69	M/s. Tata, Fison Industries Ltd., Pallauruthy, Cochin, Kerala State.	BHC WDP—IS : 562-1962.
7	CM/L-141, 24-9-1959	1-10-68	30-9-69	M/s. Tata Fison Industries Ltd., 20 Howrah Road, Salkia, Calcutta.	DDT DP—IS : 564-1961.
8	CM/L-142, 24-9-1959	1-10-68	30-9-69	M/s. Tata Fison Industries Ltd., 20 Howrah Road, Salkia, Calcutta.	BHC Dusting Powders—IS : 561-1962.
9	CM/L-145, 28-9-1959	16-10-68	15-4-69	M/s. Bharat Pulverising Mills Pvt. Ltd., 38-A, Sayani, Road, Bombay-28.	DDT Dusting Powders—IS : 564-1961.
10	CM/L-185, 26-4-1960	1-11-68	31-10-69	M/s. Shalimar Tar Products (1935) Ltd., 6 Lyons Range, Calcutta-1.	Bitumen Felts for Water Proofing and Damp-proofing—IS : 1322-1965.

11	CM/L-198, 14-6-1960	16-10-68	15-10-69	M/s. Bando Plywood Works, 226, Lower Circular Road, Calcutta-20.	Tea-Chest Plywood Panels—IS : 10-1964.
12	CM/L-199, 15-6-1960	1-11-1968	31-10-69	M/s. Bharat Pulverising Mills Pvt. Ltd., 589, Thiruvottiyur High Road, Madras-19.	BHC WDP—IS : 562-1962.
13	CM/L-204, 28-6-1960	16-10-68	15-10-69	M/s. Jaipur Metals & Electricals Ltd., Jaipur (Rajasthan).	Copper Rods for Boiler Stay Bolts and Rivets—IS : 288-1960.
14	CM/L-219, 31-8-1960	16-9-68	15-9-69	M/s. Motor & Machinery Manufacturers Ltd., 10, Jawpur Road, South Dum Dum, Calcutta-30, having their Office at 3/1 Krishna Behari Sen Street, Calcutta-7.	Three phase induction motors from 1 HP to 25 HP—IS : 325-1961.
15	CM/L-232, 17-10-1960	1-11-68	31-10-69	M/s. Assam Plywood Products, Dibrugarh (Factory at Kakojan), Assam.	Tea-Chest Plywood Panels—IS : 10-1964.
16	CM/L-339, 1-9-1961	16-9-68	15-9-69	Production Centre for Electric Motors, Govt. of India, Tiruvalla, Kerala State.	Three phase induction motors, upto 10 HP with class 'A' insulation—IS : 325-1961.
17	CM/L-340, 20-9-1961	1-10-68	31-3-69	M/s. Mysore Insecticides Co. Pvt. Ltd, 31-A, North Beach Road, Madras-1.	DDT DP—IS : 564-1961.
18	CM/L-341, 20-9-1961	16-10-68	15-10-69	M/s. Mysore Insecticides Co. (Andhra) 18/257, Gandhi-nagar, P.B. No. 425, Vijayawada-3.	BHC DP—IS : 561-1962.
19	CM/L-342, 20-9-1961	1-10-68	30-9-69	M/s. All India Medical Corporation, Mulji Jetha Building, 185 Princess Street, Bombay-2.	DDT WDP—IS : 565-1961.
20	CM/L-343, 27-9-1961	16-10-68	15-10-69	M/s. S.G. Can Factory, Yamuna Nagar (Rly. Station Jagadhri).	18-Litre Square Tins—IS : 916-1966.
21	CM/L-348, 11-10-1961	1-10-68	30-9-69	The Malwa Vanaspati & Chemical Co. Ltd., Bhagirath-pura, Indore.	18-Litre Square Tins—IS : 916-1966.
22	CM/L-452, 3-9-1962	16-9-68	15-3-69	M/s. Northern Minerals Private Ltd., Gurgaon having their office at 138, Kamla Market, New Delhi.	BHC Dusting Powders—IS : 561-1962.
23	CM/L-460, 28-9-1962	16-10-68	15-10-69	M/s. Geo Industries & Insecticides (India) Private Ltd., Field No. 82/3(a) Sathankadu, Kaladipet, Madras-19.	BHC DP—IS : 561-1962.
24	CM/L-470, 30-10-1962	1-11-68	30-4-69	M/s. Hind Tin Industries, 107A, Raja Divendra Street, Calcutta-6.	18-Litre Square Tins—IS : 916-1966.
25	CM/L-573, 29-8-1963	1-10-68	30-9-69	M/s. Nestle's Products (India) Ltd., Link House, Bahadur Shah Zafar Marg, New Delhi-1 [factory at Ludhiana—Ferozepore Link Road, Near Kingwah Cam'l (Punjab) under the style of M/s. Food Specialities Limited].	Condensed Milk, Full-Cream Sweetened—IS : 1166-1957.
26	CM/L-576, 30-8-1963	1-10-68	30-9-71	M/s. Hindustan Steel Ltd., Durgapur Steel Plant, P.O. Durgapur-3, Dt. Burdwan having their Regd. Office at P.O. Hinoo, Ranchi.	Structural Steel (Fusion Welding Quality)—IS: 2062-1962.
27	CM/L-578, 11-9-1963	16-9-68	15-9-69	M/s. National Electrical Industries Ltd., Industrial Estate, Lalhaug, Bombay-12.	Motors upto 10 Horse Power only—IS : 325-1961.
28	CM/L-579, 11-9-1963	1-10-68	30-9-69	M/s. Dharendra Metal Works, 7/1, Benares Road, Salkia, Howrah.	Wrought Aluminium Utensils—IS : 21-1959.

1	2	3	4	5	6
29	CM/L-58a, 11-9-1963	1-10-68	30-9-69	M/s. Kohinoor Paint Colour and Varnish Works, Chheda—Near Railway Station (Amritsar) having their office at 13, R.B. Rattan Chand Road, Amritsar.	(1) Enamel, Synthetic, Exterior, Type 1(a) undercoating (b) Finishing, Colour as Required class : Brushing—IS : 2932-1964 & (2) Enamel, Exterior, Type 2, (a) Undercoating, (b) Finishing, Colour as Required, Class : Brushing —IS : 2933-1964.
30	CM/L-582, 19-9-1963	16-10-68	15-10-69	M/s. Kamani Tubes Pvt. Ltd., Agra Road, Kurla, Bombay-70.	Free Cutting Brass Rods and Sections—IS : 319-1962.
31	CM/L-588, 4-10-1963	16-10-68	15-10-69	The Ahmedabad Mfg. & Calico Printing Co., Ltd., Calico Mills Chem. & Plastics Division, Anik Chembur, Bombay-71.	PVC Insulated Cables— (i) Single core (unsheathed) 250/440 and 650/1100 V. with copper or aluminium conductors. (ii) Single core (PVC sheathed) 250/440 Volts with Copper or aluminium conductors. (iii) Single core (PVC sheathed) 650/1100 Volts with copper conductors only. IS : 694 (Parts I and II)—1964. Single phase capacitor Start small AC and Universal Electric Motors from 0.25 to 1 HP with Class 'A' Insulation—IS: 996-1964.
32	CM/L-607, 11-12-1963	1-11-68	31-10-69	The Production Centre for Electric Motors, Tiruvalla, Kerala State.	PVC (heavy duty) Armoured cables for working voltages upto and including 1100 volts (with aluminium conductors only)—IS : 1554 (Part I)—1964.
33	CM/L-639, 27-2-1964	16-10-68	15-10-69	M/s. Power Cables Private Ltd., Vithalwadi, Kalyan (Maharashtra).	Structural Steel (Ordinary Quality)—IS : 1977-1962.
34	CM/L-671, 12-5-1964	1-5-68	31-5-71	M/s. Hindustan Steel Ltd., Durgapur Steel Plant, P.O. Durgapur-3, Dt. Burdwan having their Regd. Office at P.O. Hinoo, Ranchi.	(i) Carbon Papers, Typewriter, Types I to VII—IS : 1551-1959 and (ii) Carbon Papers, Handwriting Type A, B & C—IS : 3450-1966.
35	CM/L-758, 14-8-1964	1-10-68	31-3-69	The Bharat Carbon and Ribbon Mfg. Co. Ltd., Plot No. 66-A, Industrial Area, Faridabad Township, having their office at N-75 Bombay Life Building, Connaught Circus, New Delhi.	Putty for use on Metal Frames—IS: 419-1967.
36	CM/L-776, 28-9-1964	16-10-68	15-10-69	M/s. Bhagson Paint Industries (India), 16A, DLF Industrial Area, Najafgarh Road, New Delhi-15, having their office at Katra Baryan, Fatehpuri, Delhi-6.	
37	CM/L-782, 17-9-1964.	1-10-68	30-9-69	M/s. Hindustan Wires Ltd., B.T. Road, P.O. Suckcher, Plain Hard-drawn Steel Wire for Prestressed Distr. 24, Parganas, W. Bengal, having their Regd. Office at 16/5, Chowinghee Road, Calcutta-13.	Concrete—IS : 1785 (Part I)—1966.

38	CM/L-791, 30-9-1964	16-10-68	15-10-69	M/s. Aluminium Corp. of India Ltd., Jaykaynagar, Near Asansoi (W. Bengal) having their Regd. Office at 7 Council House St., Calcutta.	Hard-drawn stranded aluminium and steel-cored aluminium conductors for overhead power transmission purposes—IS : 398-1961.
39	CM/L-792, 30-9-1964	16-10-68	15-10-69	M/s. Hindustan Wires Ltd., B.T. Road, P.O. Sukchar, Distt. 24 Parganas, West Bengal having their Regd. Office at 16/5 Chowringhee Road, Calcutta-13.	Steel Wire for the core of Steel-cored Aluminium Conductors for overhead power transmission purposes—IS : 398-1961.
40	CM/L-779, 12-10-1964	1-11-68	31-10-69	M/s. Annapurna Pulversing Mills, Industrial Estate, Eluru, W.G. Distt. (A.P.).	Endrin EC-IS : 1310-1958.
41	CM/L-802, 23-10-1964	16-11-68	15-11-69	M/s. K.L. Malhotra Brothers, WK-83, Basti Nau, Jundur City (Pb.).	Jul-Badminton Racket Frames, Grades I and II—IS : 831-1966.
42	CM/L-803, 26-10-1964	1-11-68	31-10-69	M/s. Pratap Steel Rolling Mills, Chheharta, Punjab.	Structural Steel (standard quality) of the following Sections only :— (i) M.S. Rounds upto 16 mm dia and over 28 mm dia. (ii) M.S. Squares upto 14 mm sq and over 28 mm sq. (iii) M.S. Angles, Flats, etc. where the cross-Sectional area of the sample does not exceed 200 sq. mm.—IS : 226-1962.
43	CM/L-804, 26-10-1964	1-11-68	31-10-69	M/s. Pratap Steel Rolling Mills, Chheharta, Punjab.	Structural Steel (Ordinary quality) of the following sections only :— (i) M.S. Rounds upto 16 mm dia and over 28 mm dia. (ii) M.S. Squares upto 14 mm sq. and over 28 mm sq. (iii) M.S. Angles, Flats, etc., where the cross-Sectional area of the sample does not exceed 200 sq. mm—IS : 1977-1962.
44	CM/L-805, 26-10-1964	1-11-68	31-10-69	M/s. Steel Rolling Mills of Hindusthan P. Ltd., Hide Road, Extn., Calcutta.	Structural Steel (Standard Quality)—IS : 226-1962.
45	CM/L-806, 26-10-1964	1-11-68	31-10-69	M/s. Steel Rolling Mills of Hindusthan P. Ltd., Hide Road Extn., Calcutta.	Structural Steel (Ordinary Quality)—IS : 1977-1962.
46	CM/L-807, 26-10-1964	1-11-68	31-10-69	M/s. Batala Engg. Co. Ltd., Batala . . . . .	Structural Steel (Standard quality) of the following Sections only :— (i) M.S. Rounds upto 16 mm dia and over 28 mm dia. (ii) M.S. Squares upto 14 mm sq and over 28 mm sq. (iii) M.S. Angles, Flats etc., where the Cross-sectional area of the sample does not exceed 200 sq. mm.—IS : 226-1962.

(1)	(2)	(3)	(4)	(5)	(6)
47	CWL-808, 26-10-1964.	1-11-68	31-10-69	M/s. Batala Engg. Co. Ltd., Batala	Structural Steel (Ordinary Quality) of the following Sections only : (i) M.S. Rounds upto 16 mm dia and over 28 mm dia (ii) M.S. Squares upto 14 mm sq. and over 28 mm sq. (iii) M.S. Angles, flats etc where the cross sectional area of the sample does not exceed 200 sq mm—IS : 1977-1962
48	CWL-811, 26-10-1964	1-11-68	31-10-69	M/s. J.K. Iron & Steel Co. Ltd, Kalp Road, Kanpur	Structural Steel (Standard quality) of the following Sections only : (i) M.S. Rounds upto 16 mm dia and over 28 mm dia. (ii) M.S. Squares upto 14 mm sq and over 28 mm sq. (iii) M.S. Angles, Flats,etc where the cross Sectional area of the sample does not exceed 200 sq mm—IS : 226-1962.
49	CWL-1050, 31-3-1965	16-10-68	15-10-69	M/s. Kashmir Ceramic Products Pvt. Ltd., G.B. Road, Village Mira, Bombay-68 NB.	Salt Glazed Stone ware Pipes and Fittings of dia 100 mm, 150 mm, 200 mm and 300 mm—IS : 651-1965.
50	CWL-1132, 27-8-1965	16-9-68	15-3-69	M/s. All India Medical Corporation, Simpoli Road, Borivali West, Bombay-66 having their office at 185 Princess Street, Bombay-2	Organic Mercurial Dry Seed—Dressing Formulations—IS : 3284-1965.
51	CWL-1136, 3-9-1965	1-10-68	30-9-69	M/s. Cyanamid India Ltd, Atul V a, Bulsar, having their Regd. Office at the International, 16 Queen's Road, Bombay-1.	Malathion, Technical—IS : 1832-1961.
52	CWL-1137 8-9-1965	1-10-68	30-9-69	M/s. Mahendra Electricals Ltd., Kamla Mission Road, Nadiad (W. Rly.), Gujarat State.	PVC Insulated (Heavy Duty) Electric Cable for working voltages upto and including 1100 volts with Copper & aluminum conductors—IS: 1554 (Part-I)-1964.
53	CWL-1138 8-9-1965	1-10-68	31-3-69	M/s. Shiva Durga Iron Works (P) Ltd., 156/1, Madhusudan Pal Chowdhury Lane, Howrah (W. Bengal).	(i) Sluice valves for water works purposes (single screw, nine-ring spade type—upto and including 300 mm size) Class 1 & 2—IS: 780E-1966 and (ii) Sluice valves for water works purposes (350 mm to 1200 mm size) class 1—IS: 2906-1964

54	CM/L-1139 14-9-1965	1-10-68	30-9-69	M/s. Empee Insecticides & Fertilizers (Pvt.) Ltd., Nasarwan Wada, Katni (M.P.) having their office at Nelson Square, Nagpur	DDT Dusting Powder—IS: 564-1961
55	CM/L-1144 14-9-1965	16-10-68	15-10-69	M/s. Auto Pins (India) Regd. Plot No. 16, Industrial Area, Faridabad having their Office at Kashmeri Gate, Delhi-6.	Spring Leaves and Leaf Spring—IS: 1135-1966
56	CM/L-1146 17-9-1965	16-10-68	15-10-69	M/s. Lillooah Steel and Wire Co. Ltd., 15/2 Belur Road, Lillooah, Howrah having their Regd. office at 171/A Mahatma Gandhi Road, Calcutta-7.	Structural steel (standard quality), tested steel upto 25 mm (1 inch) dia rounds and other sections of equivalent area only—IS: 226-1962.
57	CM/L-1147 17-9-1965	16-10-68	15-10-69	M/s. Lillooah Steel and Wire Co. Ltd., 15/2 Belur Road, Lillooah, Howrah having their Regd. office at 171A Mahatma Gandhi Road, Calcutta-7.	Structural Steel (ordinary quality) tested steel up to 25 mm (1 inch) dia rounds and other sections of equivalent area only—IS: 1977-1962.
58	CM/L-1149 29-9-1965	1-10-68	30-9-69	M/s. Fort Gloster Industries Ltd., Bawra, S.E. Rly., having their office at 31 Chowringhee Road, Calcutta-16.	Type: Voltage Conductor
(a) PVC insulated Cables					
(i) Single core (un-sheathed)					
(ii) Single core (PVC sheathed)					
(iii) Circular twin, three & four cores (PVC sheathed)					
(iv) Flat twin with or without earth continuity conductor (PVC sheathed)					
(v) Flat three core (PVC sheathed)					
(vi) 250/440 & 650/1100 Alum. only.					
(vii) 250/440 V with Copper conductors only					
(b) PVC Flexible Cords					
(viii) IS: 694 (Parts I & II)-1964					

(1)	(2)	(3)	(4)	(5)	(6)
59	CM/L-1150 4-10-1965	1-10-68	30-9-69	M/s Asian Cables Corp. Ltd., Kotakwadi, Pokhran Road, Majiwade, Thana (Maharashtra) having their Regd. office at 254/D2, Dr. Annie Besant Road, Worli, Bombay-18.	PVC Insulated (heavy duty) Electric cables for working voltages upto and including 1100 volts with copper and aluminium conductors—IS: 1554 (Part I)—1964.
60	CM/L-1151 6-10-1965	16-10-68	15-10-69	The National Rolling and Steel Ropes Ltd., Nicco House, 1 & 2 Hare Street, Calcutta-1.	Mild Steel Wire for General Engineering Purposes—IS: 280-1962.
61	CM/L-1152 12-10-1965	16-10-68	15-10-69	M/s Bayer (India) Ltd., Kolshat Road, Thana having their office at 82, Veer Nariman Road, Bombay-1 (BR)	Methyl Parathion Emulsifiable Concentrates—IS: 2865-1964.
62	CM/L-1153 12-10-1965	16-10-68	15-10-69	M/s Nestle's Products (India) Ltd., 3, Bahadur Shah Zafar Marg, New Delhi (Factory at Ludhiana—Ferozepur Link Road, Near Kingwah Camal Moga, Punjab under the style of Food Specialities Limited).	Soluble Coffee Powder—IS: 2791-1964.
63	CW/L-1155 15-10-1965	1-11-68	31-10-69	Rajasthan Cable Industries Pvt. Ltd., Industrial Area, Rubber Insulated Cables, of the following types:	
					Type      Voltage      Conductor
					(a) <i>VIR Cables for Fixed Wiring</i>
				(i) Braided and compounded	250/440 & 650/1100      Copper or Alumini-
					Volts      um
				(ii) Tough Rubber Sheathed	250/440      Volts
				(iii) Tough Rubber Sheathed	650/1100      Alumini-
				(iv) Weather proof	um only      250/440 and 650/1100      Copper or Alumini-
					Volts      um
				(b) <i>VAR Flexible Cords</i>	
				(c) <i>VIR Flexible Cords</i>	
				(d) <i>Welding Cables</i>	Copper only
				(e) <i>Braided and compounded (workshop type)</i>	

64	CM/L-1161 2-1-1965	16-10-68	15-10-69	M/s. Madhya Pradesh Iron and Steel Works Pvt. Ltd., Nandini Road, Bhilai-I (M P)	(vii) Twisted and circular artificial silk or glace cloth braided	250/440 Volts	Copper Only
65	CM/L-1213 25-2-1966	1-9-68	28-2-69	The Hindustan Mineral Products Co. Private Ltd., Plot No. 27, Manganese Depot, Sewri, Bombay-15 having their Regd. office at 111 Industrial Area, Sion, Bombay-22.	(viii) Tough Rubber Sheathed	IS: 434 (Parts I & II)-1964.	IS: 434 (Parts I & II)-1964.
66	CM/L-1229 23-3-1966	16-10-68	15-4-69	M/s. Dhanpat Mal Jawala Das Feed Mills, 33, Najafgarh Industrial Area, New Delhi-15 (factory under the style of Nandi Provender Mills)	Structural Steel (Standard Quality)—IS: 226-1962	DDT DP—IS: 564-1961	IS: 226-1962
67	CM/L-1247 21-4-1966	1-II-68	30-4-69	M/s. Sur Enamel & Stamping Works Pvt. Ltd., 24 Middle Road, Entally, Calcutta.	Poultry Feeds, Starting Growing and Laying—IS: 1374-1964.	Enamelware for home use (wash basins only)—IS: 3149-1965.	IS: 1374-1964.
68	CM/L-1322 30-3-1966	1-10-68	31-3-69	M/s. Multiweld Wire Co. Pvt. Ltd., Marol Maroshi Road, Marol, Bombay-59.	Hand-drawn steel wire fabric for concrete reinforcement—IS: 1566-1967.	Hot applied sealing compound, Grade 'B'—IS: 1834-1961.	IS: 1566-1967.
69	CM/L-1323 31-3-1966	1-10-68	30-9-69	M/s. Shalimar Tar Products (1935) Limited, Lodna, Bihar having their office at 6 Lyons Range, Calcutta-1.	DDT EC—IS: 632-1958.	BHCEC—IS: 632-1958.	IS: 1834-1961.
70	CM/L-1331 16-9-1966	1-II-68	31-10-69	M/s. Kanpur Pesticides, 16/78 Civil Lines, Kanpur.	Paper Insulated Lead Sheathed Cables APLSTS upto 11 KV only—IS: 692-1965.	Welded Low Carbon Steel Gas Cylinders for the Storage and transportation of Liquefied Petroleum Gases—IS: 3196-1965.	IS: 692-1965.
71	CM/L-1332 16-9-1966	1-II-68	31-10-69	M/s. Kanpur Pesticides, 16/78 Civil Lines, Kanpur.	(1) Thermoplastic insulated W. P. Cables PVC Insulated and PVC Sheathed Cables;	(1) Thermoplastic insulated W. P. Cables PVC Insulated and PVC Sheathed Cables;	(1) Thermoplastic insulated W. P. Cables PVC Insulated and PVC Sheathed Cables;
72	CM/L-1338 29-9-1966	1-10-68	30-9-69	M/s. Asian Cables Corp., Ltd., Pokhran Road, Thana, Maharashtra State.	(i) Single core 250/440 & 650/1100 volts with aluminium conductors;	(i) Single core 250/440 & 650/1100 volts with aluminium conductors;	(i) Single core 250/440 & 650/1100 volts with aluminium conductors;
73	CM/L-1340 30-9-1966	1-10-68	30-9-69	M/s. Hyderabad Allwyn Metal Works, Sanatnagar, Hyderabad-18.	(ii) Flat twin core 650/1100 volts with aluminium conductors and	(ii) Flat twin core 650/1100 volts with aluminium conductors and	(ii) Flat twin core 650/1100 volts with aluminium conductors and
74	CM/L-1341 30-9-1966	1-10-68	30-9-69	The Aluminium Industries Ltd., No. 1 Ceramic Factory Road, Kundara, Kerala State.	(2) Thermoplastic insulated W.P. Cables Polythene insulated, taped, braided and compounded:	(1) Single core 250/440 & 650/1100 V with aluminium conductors;	(1) Single core 250/440 & 650/1100 V with aluminium conductors;

(1)	(2)	(3)	(4)	(5)	(6)
75	CM/L-1350 14-10-1966	16-10-68	15-10-69	M/s. D. Waldie & Co. (Lead Oxide) Ltd., G. T. Road, Konnagar, Distt. Hooghly, having their office at Gillander House, Netaji Subhas Road, Calcutta-1.	(ii) Flat twin core 250/440 and 650/1100V with aluminium conductors IS: 3035 (Parts I & II)-1965. Red Lead, Type B & C—IS: 57-1965.
76	CM/L-1418 27-3-1967	1-10-68	31-3-69	M/s. Omega Insulated Cable Co. (India) Ltd., Plot No. 16 & 17, Industrial Estate, Ambattur, Madras-58 having their office at 1-A, Nungambakkam, High Road Madras-34.	Polythene Insulated and PVC Sheathed Cables with Aluminium Conductors (Single Core Only)—IS: 1596-1962.
77	CM/L-1429 14-4-1967	16-10-68	15-4-69	M/s. Bharat Mineral & Chemicals Co., Transport Depot Road (Behind No. 9), Calcutta-27, having their office at 74, Mahatma Gandhi Road, Calcutta-7.	Dieldrin EC—IS: 1054-1962.
78	CM/L-1465 26-6-1967	1-7-65	30-6-69	M/s. Hindustan Mineral Products Co. Pvt. Ltd., 27, Manganese Depot, Sewri, Bombay-15, having their registered office at 111, Industrial Area, Sion, Bombay-22.	Malathion EC—IS: 2567-1963.
79	CM/L-1506 31-8-1967	16-9-68	15-3-69	M/s. Deepak Pulverisers, Kolshet Road, Thana, (Near Power House).	Endri EC—IS: 1310-1958.
80	CM/L-1509 6-9-1967	16-9-68	15-9-69	M/s. Metropole Industries, Pradhan Khunta, Dhanbad.	DDT DP—IS: 564-1961.
81	CM/L-1513 12-9-1967	16-9-68	15-9-69	M/s. Tata Fison Industries Ltd., 431/4, Panchpakhadi Village, Balrajeswar Road, Muland, Bombay-60, having their office at Ralli House, 21, Ravelin Street Fort, Bombay-1.	BHC WDP—IS: 562-1962.
82	CM/L-1515 15-9-1967	1-10-68	31-3-69	M/s. Dasmesh Engg. Works, 2416, Sultanwind Road, Amritsar.	Water Meter, 15 mm Size Dry—Dial, Inferential Type 'A'—IS: 779E-1966.
83	CM/L-1522 15-9-1967	16-9-68	15-3-69	M/s. Deepak Pulverisers, Kolshet Road, Thana, (Near Power House).	BHC Dusting Powders—IS: 561-1962.
84	CM/L-1529 20-9-1967	1-10-68	30-9-69	M/s. New Chemi-Mineral Mills Pvt. Ltd., Chakravati Ashok Road, Kandivali (East), Bombay-67, having their office at 7A, Dean Lane, Fort, Bombay-1.	Copper Oxchloride Water Dispersible Powder Concentrates—IS: 1507-1966.
85	CM/L-1530 26-9-1967	1-10-68	30-9-69	M/s. Warren Metal Industries Ltd., H. Block, Hide Road, Kidderpore, Calcutta-43, having their office at 31, Chowringhee Road, Calcutta-16.	Tea-chest Metal Fittings—IS: 10-1964.
86	CM/L-1531 26-9-1967	1-10-68	30-9-69	M/s. Khatan Sons & Co. (Tea Chest) Ltd., 34, B.T. Rd., Cossipore, Calcutta-2 having their office at 26, Chittaranjan Avenue Calcutta-12.	Tea-chest Metal Fittings—IS: 10-1964. (Second Revision).

87	CM L-1535 4-10-1967	16-10-68	15-10-69	M/s. Standard Mineral Products Pvt. Ltd., Subhos Nagar, Jogeshvari (East), Bombay-60, having their Registered office at 94, Nagindas Master Road, Bombay-1.	BHC DP—IS: 561-1962.
88	CM/L-1537 5-10-1967	1-11-68	31-10-69	M/s. Indian Crafts & Industries, 17/101 Ram Narain Bazar, Kanpur.	Miners' Safety Leather Boots & Shoes—IS: 1989-1967.
89	CM/L-1538 5-10-1967	10-10-68	15-10-69	M/s. Hardwyn Industrial Trading Corpn., 308/3, Shahzada Bagh, Old Rohtak Road, Delhi.	Door Closers (Hydraulically Regulated) Size 2 only—IS: 3564-1966.
90	CM/L-1545 9-10-1967	16-10-68	15-10-69	M/s. Eltex Engineering Corpn., Pvt. Ltd., Krishnarayapuram Road, Ganapatty Post, Coimbatore-6.	Three phase Induction Motors 2.2 KW (3HP), 3.7 KW (5HP) and 7.5 KW (10HP) with class 'A' Insulation—IS: 325-1961.
91	CM/L-1546 13-10-1967	16-10-68	15-4-69	M/s. Aptsaria Industries, Fatasil, Gauhati (Assam) having their office at Fincy Bazar, Gauhati (Assam).	Tea-chest Metal Fittings—IS: 10-1964.
92	CM/L-1555 31-10-1967	1-11-68	31-10-69	M/s. Venkateshwara Agro Chemicals & Minerals 6/303, Thiruvattiyur High Road, Madras-21.	DDT EC—IS: 633-1950.

[No. CMD/13:12]

New Delhi, the 26th November 1968

S.O. 4423.—In pursuance of sub-regulation (3) of regulation 3A of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended from time to time, the Indian Standards Institution hereby notifies that it recognizes Japanese Industrial Standard B-6157:1961, the particulars of which are mentioned in the Schedule given hereafter, as an Indian Standard. The recognized standard has been designated as IS:4816-1968 Specification for permanent magnetic chucks :

## THE SCHEDULE

Sl. No.	Number and Title of the Recognized Standard	Name and address of the Organization which Prepared and Established the Standard	Remarks
(1)	(2)	(3)	(4)
1.	Japan Industrial Standard B 6157:1961 (Permanent magnetic chucks).	Japanese Industrial Standards Committee, Agency of Industrial Science & Technology 3-1, Kasumigaseki, Chiyoda-ku, TOKYO.	An Indian Standard on permanent magnetic chucks [Doc:EDC II (1184)] is under preparation. As soon as it is finalised and established, the recognized standard shall be deemed to have been withdrawn.

Copies of this standard are available, for sale, with the Indian Standards Institution, Manak Bhawan, 9, Bahadur Shah Zafar Marg, New Delhi-1 and also its branch offices at (i) Novelty Chambers, Grant Road, Bombay-7, (ii) 5, Chowinghee Approach, Calcutta-13, (iii) 54, General Patters Road, Madras-2, (iv) Industrial Estate Administrative Building, Sanatnagar, Hyderabad-18 & (v) 117/41B, Sarvodaya Nagar, Kanpur.

[No. CMD/13:6]

New Delhi, the 27th November 1968

S.O. 4424. —The Certifications Marks Licences, details of which are mentioned in the Schedule given hereafter, have lapsed or the renewal deferred :

SCHEDULE

Sl. No.	1 Licence No. and Date	2 Licensee's Name and Address	3 Article/Process and the Relevant IS :No.	4 S.O. Number and Date of the Gazette Notifying Grant of licence	5 Remarks	6
1	2	3	4	5	6	
1	CM/L-572 27-8-1963	Flintrock Product Pvt. Ltd., Belvedere Road, Mazagaon, Bombay.	Endrin Emulsifiable Concentrates—IS:1310-1958.	S.O. 2719 21-9-1963	Deferred 30-9-1968.	after
2	CM/L-581 13-9-1963	Flintrock Product Pvt. Ltd., Belvedere Road, Mazagaon, Bombay-10.	BHC water dispersible powder concentrates—IS: 562-1962.7	S. O. 2959 19-10-1963	Deferred 30-9-1968.	after
3	CM/L-586 26-9-1963	Tar & Bitumen Products Pvt. Ltd., Bitumen-Felts, Type 3, Grade 1—IS:1322-63/1, Belgachia Road, Calcutta, having their office at 3-D, Garstin Place, Calcutta.	1959.	S.O. 2959 19-10-1963	Deferred 15-10-1968.	after
4	CM/L-722 29-6-1964	Agarwal Iron Works & Steel Rolling Mills, Structural Steel (standard quality)—IS:226-1962.		S.O. 2590 1-8-1964	The licence was deferred after 31-7-1967 and has now to be treated as lapsed after that date.	
5	CM/L-723 29-6-1966	Agarwal Iron Works & Steel Rolling Mills, Structural Steel (Ordinary quality)—IS: 1977-1962.		S.O. 2590 1-8-1964	The licence was deferred after 31-7-1967 and has now to be treated as lapsed after that date.	

(1)	(2)	(3)	(4)	(5)	(6)	
6	CM/L-784 22-9-1964	Bharat Pulverising Mills Pvt. Ltd., Hexa - mar House, 38-A Sayani Rd, Bombay- 28	Organic Mercurial Seed-dressing formula - tions-IS:3284-1965	S.O. 3762 31-10-1964	Deferred 30-9-1968	after
7	CM/L-788 24-9-1964	Jamuna Auto Industries, E-46 Industrial Area, Yamunanagar, Distt. Ambala having their office at Auto Industries, Yamuna - nagar, Distt. Ambala	Spring leaf and leaf spring-IS:1135-1957	Do.	Deferred 15-10-1968	after
8	CM/L-793 30-9-1964	National Steel Works Ltd., Warden House (First Floor), Sir Phirozshah Mehta Road, Fort, Bombay.	Structural steel (standard quality)-IS:226- 1962	Do.	Deferred 30-9-1968	after
9	CM/L-794 30-9-1964	Do.	Structural steel (ordinary quality)IS:1977- 1962	Do.	Do.	
10	CM/L-809 26-10-1964	Aeron Steel Rolling Mills, Jullundur City (Pb.)	Structural steel (standard quality)-IS:226- 1962	S.O. 4038 28-II-1964	Deferred 31-10-1968	after
11	CM/L-810 26-10-1964	Do.	Structural steel (ordinary quality)-IS:1977- 1962	S.O. 4038 28-II-1964	Deferred 31-10-1968	after
12	CM/L-1145 14-9-1965	Empee Insecticides & Fertilizers Pvt. Ltd, BHC dusting powers-IS:561-1962 Nasarwan Wada, Katni (M.P.) having their office at Nelson Square, Nagpur		S.O. 3324 23-10-1965	Deferred 1-10-1968 15-11-1968	from to
13	CM/L-1324 31-8-1966	Ashok Metal Industries, 6 Sewree Cross Road, Bombay-15.	Lead Pipes for chemical industry (for composition No. 4). -IS:404-1962	S.O. 2925 1-10-1966	Lapsed 31-8-1968	after
14	CM/L-1326 31-8-1966	The Southern Metal Industries, Mannar, Alleppey Distt. (Kerala)	Wrought aluminium utensils. Grade SIC- IS: 21-1959	Do.	Deferred 31-10-1968	after
15	CM/L-1534 4-10-1967	Emcee Engineers, Terbeni Road, Patiala	Watermeters, dry-dial, inferential, type B, 15 mm size -IS:779-1965	S.O. 4258 9-12-1967	Deferred 15-10-1968	after
16	CM/L-1537 5-10-1967	Indian Crafts & Industries, 14/15 Civil Lines Kanpur & 17/101 Ram Narain Bazar, Kanpur	Miner's safety leather boots and shoes-IS: 1939-1967	Do.	Deferred 16-10-1968 31-10-1968	from to
17	CM/L-1542 9-10-1967	Apeejay Pvt. Ltd, Kumhari P.O., Distt. Durg. (M.P.)	Structural steel (standard quality)- IS:226- 1962	Do.	Lapsed 15-10-1968	after
18	CM/L-1543 9-10-1967	Do.	Structural steel (ordinary quality)-IS: 1977-1962	Do.	Lapsed 15-10-1968	after

New Delhi, the 28th November 1968

**S.O. 4425.**—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period from 16 October to 15 November, 1968 :

## THE SCHEDULE

Serial No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
1	2	3	4
1	IS : 158-1968 Specification for ready mixed paint, brushing, bituminous, black, lead-free, acid, alkali water and heat resisting for general purposes (second revision).	IS : 158-1965 Specification for ready mixed paint, brushing, bituminous, black, lead-free, acid, alkali, water and heat resisting, for general purposes (revised).	This standard prescribes the requirements and the methods of sampling and test for ready mixed paint, brushing, bituminous, black, lead-free, acid, alkali, water and heat resisting, for general purposes. The material is used for general purposes, especially for the protection of water tanks, chimneys, boilers, apparatus, equipment machines, etc. The use of the material is extended also to appliances connected with ammunition. (Price Rs. 4.00).
2	IS : 300-1968 Specification for the national flag of India (silk khadi) (second revision).	IS : 300-1964 Specification for the national flag of India (silk khadi) (revised).	This standard prescribes the design, constructional details and other particulars of the national flag of India made of hand-reeled and hand woven silk khadi bunting. (Price Rs. 5.00).
3	IS : 482-1968 Specification for reels for covered, round electrical winding wires (second revision).	IS : 482-1962 Specification for reels for covered, solid, round electrical winding wire (revised).	This standard specifies the requirements regarding materials, construction, dimensions, tolerances, eccentricity and sizes for reels for covered round wires for winding electrical machinery and apparatus. (Price Rs. 4.00).
4	IS : 1024-1968 Code of practice for use of welding in bridges and structures subject to dynamic loading.		This standard covers the use of metal arc welding in bridges and structures subjected to dynamic loading. (Price Rs. 6.50).
5	IS : 1374-1968 Specification for poultry feeds (second revision).	IS : 1374-1964 Specification for poultry feeds (revised).	This standard prescribes the requirements, sampling and methods of test for chicken ( <i>Gallus domesticus</i> ) feeds. (Price Rs. 8.50).
6	IS : 1501-1968 Method for Vickers hardness test for steel (first revision).	IS : 1501-1959 Method for Vickers hardness test for steel.	This standard prescribes method of conducting Vickers hardness test on steel. (Price Rs. 8.50).

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7	IS : 1547-1968 Specification for infant milk foods (first revision).	IS : 1547-1960 Specification for infant milk foods.	This standard prescribes the requirements and the methods of sampling and test for infant milk foods. (Price Rs. 8.50).
8	IS : 1552-1968 Specification for pitch-bound wire reeds for use in jute looms (first revision).	IS : 1552-1960 Specification for wire reeds for use in jute looms.	This standard prescribes the requirements for pitch-bound wire reeds for use in narrow looms and broad jute looms. (Price Rs. 2.50).
9	IS : 1680-1968 Code of practice for treatment of water for land boilers (first revision).	IS : 1680-1960 Code of practice for treatment of water for land boilers.	This standard deals with the conditions to be aimed at and the chemical methods of attaining them, for water land boilers, in order to overcome the troubles on the water side of boilers operating up to 18 kg/cm <sup>2</sup> pressure. (Price Rs. 8.00).
10	IS : 1739-1968 Specification for cotton healds for use in cotton looms (first revision).	IS : 1739-1960 Specification for cotton healds for use in cotton looms.	This standard prescribes the requirements of cotton healds for use in cotton looms. (Price Rs. 3.50).
11	IS : 1791-1968 Specification for batch type concrete mixers (first revision).	IS : 1791-1961 Specification for batch type concrete mixers.	This standard lays down requirements regarding the drum, water tanks and fittings, loaders, hoppers, power units, discharge height, road worthiness etc. for the free fall (drum) batch type concrete mixers. (Price Rs. 5.50).
12	IS : 2488 (Part III)-1968 Methods of sampling and test for industrial effluents Part III.	..	This standard covers methods of test for industrial effluents. The methods covered in this part are for boron, chlorides, sulphates, total dissolved solids and insecticides. (Price Rs. 6.00).
13	IS : 2585-1968 Specification for black square bolts and nuts (diameter range 6 to 39 mm) and black square screws (diameter range 6 to 24 mm) (first revision).	IS : 2585-1964 Specification for black square head bolts (M6 to M39) with square nuts and black square head screws (M6 to 24).	This standard covers the requirements for black square bolts and nuts in the diameter range 6 to 39 mm and black square screws in the diameter range 6 to 24 mm. (Price Rs. 3.50).
14	IS : 4157 (Part III)-1968 Code for transport of Livestock Part III Transport of sheep and goats by rail and road.	..	This standard covers the essential requisites for the transport of sheep and goats by rail and road. It is applicable to sheep and goats of all breeds. (Price Rs. 2.00).

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15	IS : 4253 (Part II)-1968 Specification for cork composition sheet Part II cork and rubber.	..	This standard specifies requirements for cork composition sheets for gaskets made by the compounding of granular cork with natural or synthetic rubber. (Price Rs. 4.00).
16	IS : 4504-1968 Specification for pattern plates for machine moulding boxes.	..	This standard covers the requirements for pattern plates for machine moulding boxes. (Price Rs. 2.50).
17	IS : 4507-1968 Classification of hazardous chemicals and chemical products.	..	This standard lists hazardous chemicals and chemical products in common use and indicates their principal and subsidiary hazards. (Price Rs. 13.00).
18	IS : 4523-1967 Recom- mendations for structural design of radial gates.	..	This standard provides guidance for structural design of radial gates. (Price Rs. 8.50).
19	IS : 4533-1968 Specification for fixed metallized-paper dielectric capacitor for direct current.	..	This standard prescribes the requirements and methods of tests for judging the electrical, mechanical and climatic properties of fixed capacitors with self-healing properties, for direct current, with a rated voltage not exceeding 6,300 V, containing a dielectric of impregnated paper and thin deposited metal electrodes, generally intended for use in electronic and telecommunication equipment. (Price Rs. 8.50).
20	IS : 4651 (Part I)-1967 Code of practice for design and construction of dock and harbour structures Part I site exploration and soil investigation.	..	This standard deals with the special requirements for site exploration and soil investigation necessary for marine structures required for docks and harbours and furnishes certain design data for soil properties for preliminary design. (Price Rs. 5.00).
21	IS : 4674-1968 Specification for dressed chicken.	..	This standard prescribes the requirements and methods of sampling and test for dressed chicken. (Price Rs. 2.50).
22	IS : 4699-1968 Specification for mooring buoy shackles.	..	This standard lays down the specification for forged mooring buoy shackles. (Price Rs. 4.00).

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23.	IS : 4692-1968 Specification for electrically welded studless link anchor chains and attachments.	..	This standard lays down the specification for the electrically welded studless link anchor chains. (Price Rs. 5.00).
24.	IS : 4699-1968 Specification for refined secondary zinc	..	This standard covers the requirements for two grades of refined secondary zinc, namely, SZn 99.5 and SZn 98.5 (Price Rs. 2.00).
25.	IS : 4702-1968 Accuracy requirements for high precision gears.	..	This standard covers the manufacturing tolerances of machine cut high precision gears of Grades 3 and 4 (see IS : 3681-1966) having involute profiles and modified involute profiles of straight and inclined teeth and pitch velocity above 15 m per second. (Price Rs. 2.00).
26.	IS : 4704-1968 Specification for silver tin dental amalgam alloy.	..	This standard lays down requirements for silver-tin dental amalgam alloy. (Price Rs. 2.50).
27.	IS : 4707 (Part I)-1968 Classification of cosmetic raw materials and adjuncts, Part I.	..	This standard lists dyes, colours and pigments which are generally recognized as safe (GRAS) for use in cosmetics and toilet goods. (Price Rs. 4.00).
28.	IS : 4708-1968 Specification for urine glass, conical.	..	This specification lays down the requirements for urine glass, conical, used in pathological work. (Price Rs. 2.00).
29.	IS : 4725-1968 Accuracy requirements for precision gears.	..	This standard covers the manufacturing tolerances of machine cut precision gears of Grades 5 and 6 (See IS : 3681-1966) having involute profiles and modified involute profiles of straight and inclined teeth and pitch velocity from 8 m per second to 15 m per second (Price Rs. 2.00).
30.	IS : 4726-1968 Specification for light-weight nylon fabric for personnel parachutes.	..	This standard covers the requirements of light weight nylon fabric for personnel parachutes. The fabric is used in the fabrication of parachutes intended for personnel and other aerial delivery purposes. (Price Rs. 4.00).
31.	IS : 4727-1968 Specification for nylon webbing for aeronautical purposes.	..	This standard prescribes the constructional details and other particulars of 2 types of nylon webbing, undyed or dyed, used in personnel parachutes and other aeronautical purposes. (Price Rs. 4.00).

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32. IS : 4731-1968 Guide for preparation of manuscript of an article in a learned periodical.	..	This standard lays down general instructions for the guidance of an author for the preparation of the text of an article communicating the results of research to a learned periodical. (Price Rs. 5.00).	
33. IS : 4732-1968 Specification for rivets for shipbuilding.	..	This standard prescribes the requirements of mild steel rivets, 16 to 33 mm in diameter, for ships' structure. (Price Rs. 2.50).	
34. IS : 4735-1968 Specification for arm shaft cams for sewing machines for household purposes.	..	This standard specifies the requirements for three types of arm shaft cams for sewing machines for household purposes. (Price Rs. 2.50).	
35. IS : 4742-1968 Specification for settling tanks for ghee (aluminium).	..	This standard prescribes the important constructional details and dimensional requirements for single-walled settling tanks (vertical cylindrical and rectangular) for ghee made of aluminium. (Price Rs. 4.00).	
36. IS : 4743-1968 Specification for settling tanks for ghee (stainless steel).	..	This standard prescribes the important constructional details and dimensional requirements for single-walled stainless steel settling tanks (vertical cylindrical and rectangular) for ghee. (Price Rs. 4.00).	
37. IS : 4744-1968 Specification for packaging of jute products in rolls.	..	This standard prescribes the requirements of packaging for different types of jute cloth in the form of rolls. (Price Rs. 2.00).	
38. IS : 4746-1968 Code for transport of dogs and cats by rails, road and air.	..	This code covers the essential requisites for the transport of dogs and cats by rail, road and air. It is applicable to all breeds of dogs and cats. (Price Rs. 2.50).	
39. IS : 4753-1968 Specification for potassium nitrate, food grade	..	This standard prescribes the requirements and the methods of sampling and test for potassium nitrate for use as food preservative. (Price Rs. 3.50).	

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40.	IS:4754-1968 Specification for staining troughs and jar.	..	<p>The specification lays down the requirements of the following staining troughs and jars (including lids) used in pathological work:</p> <p>(a) Staining trough, vertical;  (b) Staining trough, horizontal; and  (c) Staining jar, coplin (Price. Rs. 2.50).</p>
41.	IS:4756-1968 Safety code for tunneling work.	..	<p>This standard lays down the safety requirements for tunneling and underground excavations in rocks (Price Rs. 6.00)</p>
42.	IS : 4800 (Part II)-1968 Specification for enamelled round winding wires Part II maximum overall diameters.	..	<p>This standard covers the values for maximum overall diameters of enamelled round winding wires having either copper or aluminium as conductor. (Price Rs 2.00).</p>

These Indian Standards are available for sale with the Indian Standards Institution, 'Manak Bhavan', 9 Bahadur Shah Zafar Marg, New Delhi-1, and also its branch offices at (i) 534 Sardar Vallabhbhai Patel Road, Bombay-7, (ii) Tairdand Fourth Floors, 5, Chawringhee Approach, Calcutta-13, (iii) Second Floor, Sathyamurthy Bhavan, 54 General Patters Road, Madras, (iv) 117/418 B, Sarvodaya Nagar, Kanpur and (v) Industrial Administrative Building, Sanatnagar, Hyderabad.

[No. CMD/13:2]

S.O. 4426—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that amendment(s) to the Indian Standard(s) given in the schedule hereto annexed have been issued under the powers conferred by the sub-regulation (1) of Regulation 3 of the said Regulations.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard amended	No. and Date of Gazette Notification in which the establishment of the Indian Standard was notified	No. and Date of the Amendment	Brief particulars of the Amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)	(5)	(6)
1.	IS:201-1964 Quality Tolerances for water for textile industry (revised)	S.O. 3329 dated 19 September 1964	No. 1 October 1968	(i) Clauses 2.2, 2.4, 3.1 and A-2.1 have been substituted by new ones and the foot-note with an asterisk(*) mark pertaining to clause 2.2 deleted. (ii) Table 1 clauses 2.5 and 4.1 have been amended.	1 October 1968
2.	IS:205-1966 Specification for non-ferrous metal butt hinges (second revision)	S.O. 3065 dated 15 October 1966	No. 2 September 1968	(i) An additional end view for hinge 30 September 1968 with tapered section has been included in Fig. 1. (ii) Table 2 has been amended.	30 September 1968
3.	IS:303-1960 Specification for plywood for general purposes (revised)	S.O. 570 dated 18 March 1961	No. 4 October 1968	A new note indicating alternative sizes 1 October 1968 has been added under table 3.	1 October 1968
4.	IS:513-1963 Specification for cold rolled carbon steel sheets (revised)	S.O. 415 dated 1 February 1964	No. 2 August 1968	(i) clauses 0.2 and 0.3 have been amended. (ii) clause 5.2 has been substituted by a new one.	31 October 1968
5.	IS:722 (Part IV)-1966 Specification for ac electricity meters Part IV Three-phase watthour meters with maximum demand indicator (first revision)	S.O. 1325 dated 15 April 1967	No. 1 October 1968	(i) (page 7, clause 4.1, line 1)—Delete the word 'whole-current'. (ii) (Page 7, clause 4.3)—Delete the clause and re-number the existing clauses '4.4 and 4.5' as '4.3 and 4.4' respectively.	1 October 1968
6.	IS:758-1955 Specification for handloom cotton gauze, absorbent, bleached.	S.R.O. 1152 dated 19 May 1956	No. 4 November 1968	Clauses 4.3, 4.3.1 and table I have been amended.	1 November 1968

(1)	(2)	(3)	(4)	(5)	(6)
7	IS: 765-1966 Method for determination of colour fastness of textile materials to washing : test 4 (revised).	S.O. 1756 dated 11 June 1966	No. 1 November 1968	(Page 3, clause 0.5)—Delete the clause and the corresponding footnote.	1 November 1968
8	IS: 831-1966 Specification for badminton racket frames (revised)	S.O. 4562 dated 23 January 1967	No. 1 September 1968	Clause 6.1 has been amended	1 September 1968
9	IS: 916-1966 Specification for 18-litre square tins (revised)	S.O. 469 dated 11 February 1967	No. 1 October 1968	New matter has been added at the end of clauses 3.3.1.1 and 3.3.2	1 October 1968
10	IS: 1300-1966 Specification for phenolic moulding materials (second revision)	S.O. 913 dated 18 March 1967	No. 1 October 1968	[Page 6, Table 1, Col 4, against Sl. No. (iv)]—Substitute '9.4' for '19.4'.	1 October 1968
11	IS: 1320-1958 Specification for baker's yeast	S.O. 2834 dated 26 December 1959	No. 2 November 1968	Clauses E-2.1 has been amended	1 November 1968
12	IS: 1448 [P.61] 1966 Evaporation loss in greases (2-Hour drying)	S.O. 4080 dated 18 November 1967	No. 1 November 1968	Clause 6.1 has been substituted by a new ones	1 November 1968
13	IS: 1462-1967 Specification for talc for cosmetic industry (first revision)	S.O. 467 dated 3 February 1968	No. 1 November 1968	[Page 5, Table 1, Col 2, against Sl. No. (ii), lines 4 and 7]—Substitute 'Max' for 'Min'.	1 November 1968
14	IS: 1591-1960 Glossary of terms for electrical cables and conductors.	S.O. 2818 dated 26 November 1968	No. 3 October 1968	(i) The title of the standard has been amended.	1 October 1968
15	IS: 1622-1964 Methods of sampling and test for microbiological examination of water used in industry.	S.O. 2134 dated 3 July 1965	No. 2 October 1968	(ii) New clauses 2.20 to 2.27 have been added.	1 October 1968
16	IS: 1886-1967 Code of practice for installation and maintenance of transformers (first revision)	S.O. 2789 dated 19 August 1967	No. 1 October 1968	Clause 9.2.1.5 has been amended.	1 October 1968
17	IS: 2487-1963 Specification for flat steel healds for cotton, silk, woollen and worsted weaving (Excluding jacquard and leno weaving).	S.O. 280 dated 25 January 1964	No. 1 October 1968	(i) A note has been added after clause 3.3.	1 October 1968
18	IS: 2593-1964 Specification for flexible cables for miners' cap-lamps.	S.O. 4120 dated 5 December 1964	No. 2 October 1968	(ii) Clause 3.4 and Fig. 1 have been deleted and the subsequent figures renumbered accordingly.	1 October 1968
19	IS: 2724-1964 Quality tolerances for water for pulp and paper industry	S.O. 3329 dated 19 September 1964	No. 1 October 1968	(i) Clauses 8.2.6 and B-1.1 have been substituted by new ones	31 October 1968
				(ii) Table 1 has been amended	1 October 1968
				(i) Clauses 2.2, 2.4, 3.1, 4.1 and A-2.1 have been substituted by new ones and the footnote with an asterisk (*) mark pertaining to clause 2.2 deleted.	1 October 1968
				(ii) Table 1 has been amended	

20	IS: 2725-1964 Quality Tolerances for water for rayon manufacturing industry	S.O. 3329 dated 19 September 1964	No. 1 October 1968	(i) Clauses 2·2, 2·3, 2·5, 3·1, 4·1 and 11 October 1968 A-2·1 have been substituted by new ones and the footnotes with an asterisk (*) mark pertaining to clauses 2·2 and 3·1 deleted (ii) Table 1 has been amended
21	IS: 2853-1964 Method of determining austenitic grain size of steel	S.O. 2042 dated 26 June 1965	No. 1 November 1968	Fig 1 C, D, E and F have been amended. 1 November 1968
22	IS: 3253-1965 Specification for hawser-laid nylon rope for mountaineering purposes.	S.O. 1081 dated 9 April 1966	No. 1 October 1968	Note 2 pertaining to clause A-5·3 has been substituted by a new one. 1 October 1968
23	IS: 3340-1965 Specification for jacquard harness	S.O. 1081 dated 9 April 1966.	No. 1 October 1968	Table 2 has been substituted by a new one. 1 October 1968
24	IS: 3361-1965 Method for determination of colour fastness of textile materials to washing : Test 2	S.O. 1081 dated 9 April 1966.	No. 1 November 1968	Clause 0·4 has been deleted. 1 November 1968
25	IS: 3417-1966 Method for determination of colour fastness of textile materials to washing Test 5	..	No. 1 November 1968	(i) (Page 3, clause 0·4)—Delete the 1 November 1968 clause (ii) (Page 3, clause 3·1, line 4)—substitute '200 kg' for '20 kg'
26	IS: 3425-1966 Method for determination of colour fastness of textile materials to acid felting : Severe	..	No. 1 November 1968	Clause 0·3 has been deleted. 1 November 1968
27	IS: 3426-1966 Method for determination of colour fastness of textile materials to rubbing with organic solvents	S.O. 1992 dated 2 July 1966.	No. 1 October 1968	Clause 0·4 has been deleted. 1 October 1968
28	IS: 3448-1966 Method for end quench test for hardenability of steel	S.O. 913 dated 18 March 1967.	No. 1 October 1968	(i) (Page 5, clause 4·3·1, line 1)— 1 October 1968 Substitute '4·3' for '4·4' (ii) Clause 7·1 has been substituted by a new one.
29	IS: 3962-1967 Specification for waxed paper for general packaging	S.O. 683 dated 24 February 1968	No. 1 October 1968	Clause 4·3 has been substituted by a 1 October 1968 new one
30	IS: 3986-1966 Specification for sodium lauryl sulphate for cosmetic industry	S.O. 2654 dated 5 August 1967.	No. 1 October 1968	(Page 10, clause A-4·2·6, line 4, 1 October 1968 against equation 'For pure lauryl alcohol')—Substitute '1·54' for '1·44'.
31	IS: 4114-1967 Coded markings of values of capacitance and resistance by letters and digits	S.O. 4562 dated 23 December 1967.	No. 2 September 1968	Clause 5·1·2 has been substituted by a 1 September 1968 new one

(1)	(2)	(3)	(4)	(5)	(6)
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32. IS: 4588-1968 Specification for raw natural rubber.

S.O. 2766 dated  
10 August 1968.

No. 1  
November 1968

[Page 4, Table 1, col. 2, against Sl. No. 1 November 1968  
(ii)]—Substitute "Volatile matter,"  
for "Volatile meter."

Copies of these amendment slips are available with the Indian Standards Institution, 'Manak Bhavan', 9, Bahadur Shah Zafar Marg, New Delhi-1, and also its branch offices at (i) Novelty Chambers, Grant Road, Bombay-7, (ii) Third and Fourth Floors, 5, Chowranghee Approach, Calcutta-13, (iii) Second Floor, Sathymurthy Bhavan, 54 General Patters Road, Madras, (iv) 117/418-B, Sarvodaya Nagar, Kanpur, and (v) Industrial Estate Administrative Building, Sanstnagar, Hyderabad.

[No. CMD/13 : 5]

(Dr.) A. N. GHOSH,  
Director General

## CENTRAL BOARD OF DIRECT TAXES

## INCOME-TAX

New Delhi, the 28th November 1968

**S.O. 4427.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following amendment in the Schedule appended to its Notification No. 72 (F. No. 50/6/68-ITJ) dated the 20th August, 1968 namely :—

In the said Schedule against A Range, Nagpur under column 2 the following shall be substituted :—

A—Range, Nagpur

1. I. T. O., A—Ward, Nagpur.
2. I. T. O., B—Ward, Nagpur.
3. I. T. O., E—Ward, Nagpur.
4. I. T. O., H—Ward, Nagpur.
5. I. T. O., Special Survey Circle, Nagpur.
6. I. T. O., Salary Circles, Nagpur.
  - (a) 1st I. T. O., Salary Circle, Nagpur.
  - (b) 2nd I. T. O., Salary Circle, Nagpur.
  - (c) 2nd I. T. O., Salary Circle and Refunds, Nagpur.
  - (d) 3rd I. T. O., Salary Circle, Nagpur.
7. I. T. O., Refund Circle, Nagpur.
8. I. T. O., Special Estate Duty-cum-Income-tax Circle, Nagpur.
9. I. T. O., Assessment I, Nagpur.
10. I. T. O., Assessment II, Nagpur.
11. I. T. O., Assessment, V, Nagpur.
12. I. T. O., Assessment VII, Nagpur.
13. I. T. O., Administration, Nagpur.
14. I. T. O., Collection, Nagpur.
15. I. T. O., City Circle, Nagpur.
16. I. T. O., City Circle and Refunds Nagpur.
17. I. T. O., Chhindwara.

This notification shall take effect from 28th November, 1968.

## Explanatory Note

The amendment has become necessary for relieving the Appellate Assistant Commissioner A—Range, Nagpur of the jurisdiction of Central Circles, Nagpur.

(The above note does not form part of the notification, but is intended to be merely clarificatory).

[No. 126 (F.No. 50/6/68-ITJ)].

**S.O. 4428.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax specified in Column I of the Schedule below shall perform their functions in respect of all persons and incomes assessed to incometax or super tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof :—

## SCHEDULE

Range	Income-tax Circles, Wards and Districts
1	2
Central Range I, Bombay	All cases under the jurisdiction of Income-tax Officers Sections I, II, III, IV, IX, X, XVIII, XIX, XX (Central) Bombay, Central Circles, I, II, III, IV, and V, Nagpur and Special Investigations Circles A, B, C and D, Nagpur.
Central Range II, Bombay	All cases under the jurisdiction of Income-tax Officers Sections, V, VI, VII, VIII, XI, XII, XIII, XIV, XV, XVI, XVII, XXI, XXII, XXIII (Central), Bombay.

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that Income-tax Circle Ward or District or part thereof is transferred shall, from the date this notification shall take to be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from the 28th November, 1968.

*Explanatory Note :*

The amendment has become necessary on account of the creation of new charges of I. T. O.s in the Commissioner of Income-tax's charge and for assigning appellate jurisdiction over Central Circles, Nagpur to the Appellate Assistant Commissioner, Central Range, I, Bombay.

(The above note does not form part of the notification, but is intended to be merely clarificatory).

[No. 127 (F.No. 50/8/68-ITJ).]

New Delhi, the 29th November 1968

**S.O. 4429.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Incometax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Incometax of the Ranges specified in column 2 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to incometax or supertax in the Incometax Circles, Wards and Districts specified in the corresponding entry in column 3 thereof :—

SCHEDULE

Serial No.	Ranges	Incometax Circle, Wards and Districts
1	2	3
1	Range I, Allahabad	1. A, B & C Wards, Allahabad. 2. Salary Circle, Allahabad. 3. Estate Duty <i>cum</i> Incometax Circle, Allahabad. 4. Gonda 5. Faizabad.
2	Range II, Allahabad	1. B, E. & F. Wards, Allahabad. 2. Mirzapur.
3	Bareilly	1. Bareilly. 2. Nainital. 3. Shahjehanpur. 4. Haldwani.
4	Range I, Lucknow	1. Circle I, Lucknow. 2. Lakhimpur Kheri. 3. Lucknow.
5	Range II, Lucknow	1. Circle II, Lucknow. 2. Companies Circle, Lucknow. 3. Salary Circle, Lucknow. 4. Special Survey Circle, Lucknow. 5. Estate Duty <i>cum</i> Incometax Circle, Lucknow. 6. Hardoi. 7. Project Circle, Lucknow. 8. Sitapur.
6	Moradabad	1. Moradabad. 2. Rampur. 3. Bulandshahr. 4. Najibabad
7	Range I, Varanasi	1. A to F Wards, Varanasi. 2. Special Circle, Varanasi. 3. I. T. O. Collection Varanasi. 4. Gorakhpur. 5. Jaunpur.

1

2

3

## 8 Range II, Varanasi

1. G, H & J Wards, Varanasi.
2. Special Survey Circle, Varanasi.
3. Project Circle, Varanasi.
4. I. T. O. (Adm.), Varanasi.
5. Ballia.
6. Azamgarh.

Where an Incometax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range appeals arising out of assessments made in that Incometax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of the Range from whom that Incometax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 2nd December 1968.

*Explanatory Note*

The amendment has become necessary on account of the bifurcation of Commissioners of Incometax's charges in U. P. as Commissioner of Incometax Lucknow and Commissioner of Incometax, Kanpur.

(The above note does not form part of the notification, but is intended to be merely clarificatory).

[No. 128 (F. No. 50/13/68-ITJ).]

**S.O. 4430.**—In exercise of the powers conferred by sub-section (1) of section 122 of the Incometax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in supersession of all previous notifications in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in column 2 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to incometax or supertax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 3 thereof:—

## SCHEDULE

Serial No. 1	Ranges 2	Income-tax Circle, Wards and Districts 3
1 Range I, Agra		<ol style="list-style-type: none"> <li>1. A to E Wards, Agra.</li> <li>2. I. T. O. Administration &amp; Collection, Agra.</li> <li>3. Ferozabad.</li> <li>4. Mathura.</li> </ol>
2 Range II, Agra		<ol style="list-style-type: none"> <li>1. F to H and K to M Wards, Agra.</li> <li>2. Aligarh.</li> <li>3. Mainpuri.</li> <li>4. Special Survey Circle, Agra.</li> <li>5. Special Circle, Agra.</li> </ol>
3 Dehra Dun		<ol style="list-style-type: none"> <li>1. Dehra Dun.</li> <li>2. Estate Duty Cum-Income-tax Circle, Dehra Dun.</li> <li>3. Saharanpur.</li> <li>4. Roorkee.</li> </ol>
4 Range I, Kanpur		<ol style="list-style-type: none"> <li>1. Circle II, Kanpur excluding B Ward.</li> <li>2. Companies Circle, Kanpur.</li> <li>3. Jhansi.</li> </ol>
5 Range II, Kanpur		<ol style="list-style-type: none"> <li>1. A, B &amp; C Wards Circle I, Kanpur.</li> <li>2. Project Circle, Kanpur.</li> <li>3. I. T. O. Collection, Circle I, Kanpur.</li> <li>4. Central Circles, Kanpur.</li> <li>5. Circle II, B-Ward, Kanpur.</li> <li>6. Circle I, H-Ward, Kanpur.</li> </ol>

6 Range III, Kanpur	1. D, E, F, G, H, J, K, L, M, Wards Circle I, Kanpur. 2. Salary Circle, Kanpur. 3. Special Survey Circle, Kanpur. 4. Estate Duty <i>Cum</i> Income-tax Circle, Kanpur. 5. Special Circle, Kanpur. 6. Etawah. 7. Banda. 8. Fatehgarh.
7 Range I, Meerut	1. B-Ward Meerut. 2. Project Circle, Meerut. 3. Muzaffarnagar.
8 Range II, Meerut	1. C, E, F, & G Wards, Meerut. 2. Special Survey Circle, Meerut. 3. Salary Circle, Meerut. 4. Ghaziabad.
9 Range III, Meerut	1. Central Circles, Meerut. 2. I. T. O. Collection, Meerut. 3. A & B Wards Meerut.

Where an Incometax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Incometax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant/Commissioner of the Range from whom that Incometax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said circle, ward or district or part thereof is transferred.

This notification shall take effect from 2nd December 1968.

*Explanatory Note*

The amendment has become necessary on account of the bifurcation of Commissioners of Income-tax charges in U. P. as Commissioner of Income-tax, Lucknow and Commissioner of Income-tax, Kanpur.

(The above note does not form part of the notification, but is intended to be merely clarificatory).

[No. 129 (F. No. 50/13/68-ITJ).]

*New Delhi, the 30th November 1968*

**S.O. 4431.**—In exercise of the powers conferred by Sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and all other powers enabling it in that behalf, the Central Board of Direct Taxes hereby makes the following further amendment in the schedule appended to its notification No. 12-Incometax (F. No. 50/7/66-ITJ) dated 14th January 1966, namely:

I. In the said schedule against H' Range, Calcutta following shall be substituted—

1. Dist. III(1), Calcutta.
2. Project Circle-II, Calcutta.
3. Estate Duty-*cum*-Income-tax Circle, Calcutta.
4. Special Circle-I, Calcutta.
5. Special Survey Circle-I, Calcutta.

II. Against 'T' Range, Calcutta following shall be substituted:—

1. Murshidabad.
2. Dist. I(2), Calcutta.
3. Special Circle-VI, Calcutta.

This notification shall take effect from 2nd December, 1968.

*Explanatory Note*

The amendment has become necessary on account of the abolition of AA Range, Calcutta and consequent re-allocation of the jurisdiction amongst the AACs in the Commissioners charges.

[No. 130 (F. No. 50/14/68-ITJ).]

S. V. SUBBA RAO, Under Secy.

**ESTATE DUTY**

*New Delhi, the 30th November 1968*

**S.O. 4432.**—In exercise of powers conferred by Sub Section (2A) of Section 4 of the Estate Duty Act, 1953 (34 of 1953) and in partial modification of its notification No. 17/F. No. 1/9/67-ED dated 2nd May, 1968 published as S.O. 1643 in Part II, Section 3(ii) of the Gazette of India dated 11th May, 1968, the Central Board of Direct Taxes hereby directs that Shri H. A. Shah, Director of Inspection, shall perform the functions of an Appellate Controller of Estate Duty throughout India in respect of:—

- (a) The estates of deceased persons assessed to Estate Duty on or after the 1st July 1960 by a Deputy Controller of Estate Duty exercising his functions as such.
- (b) The estates of deceased persons in relation to which an appeal lies under Section 62 of the Estate Duty Act 1953, against an order passed on or after the 1st July 1960, by a Deputy Controller of Estate Duty exercising his functions as such.

2. This notification shall be deemed to have come into force on the 17th day of October, 1968.

[No. 32 (F. No. 1/9/67-ED).]

**S.O. 4433.**—In exercise of powers conferred by sub section (2A) of Section 4 of the Estate Duty Act, 1953 (34 of 1953) and in partial modification of its notification No. 23 (F. No. 1/9/67-ED) dated 15th June, 1968, the Central Board of Direct Taxes hereby directs that Shri G. R. Raghavan an Assistant Commissioner of Income tax, appointed to be an Appellate Controller of Estate Duty by the notification of the Government of India Ministry of Finance (Department of Revenue and Insurance) No. 33 (F. No. 1/9/67-ED) dated the 30th November, 1968, shall perform the functions of an Appellate Controller of Estate Duty in respect of:—

- (a) The Estates of deceased persons assessed to Estate Duty on or after the 1st July 1960 by an Assistant Controller of Estate Duty and
- (b) The estates of deceased persons in relation to which an appeal lies under Section 62 of the Estate Duty Act 1953, against an order passed on or after the 1st July 1960, by an Assistant Controller of Estate Duty,

where such Assistant Controller has in exercise of his functions under the Estate Duty Act 1953 made such assessment or passed such orders—

(I) in any area comprised within the jurisdiction of the Commissioners of Income-tax mentioned below;

Commissioner of Income-tax Madras I.

Commissioner of Income-tax Madras II.

Commissioner of Income-tax Kerala.

Commissioner of Income-tax Mysore.

Commissioner of Income-tax Andhra Pradesh Hyderabad.

Or

(II) in respect of any estates of the deceased persons who were being assessed to Income-tax in the Commissioner of Income-tax (Central) Madras.

2. This notification shall be deemed to have come into force on the forenoon of 24th June 1968.

[No. 34 (F. No. 1/9/67-E.D.).]

S. BHATTACHARYYA, Secy.

ESTATE DUTY

New Delhi, the 3rd December 1968

**S.O. 4434.**—In exercise of the powers conferred by the second proviso to Sub-Section (2) of Section 4 of the Estate Duty Act, 1958 and in supersession of its notification No. 13/F. No. 21/35/64-ED dated 11th May 1964 published as S.O. 1715 in Part II, Section 3 Sub section (ii) of the Gazette of India dated 23rd May 1964, the Central Board of Direct Taxes hereby directs that every Incometax Officer appointed to be an Assistant Controller and posted to the Estate Duty cum Incometax Circle Kanpur shall perform his functions as Assistant Controller in the said circle to the exclusion of all other Assistant Controllers in respect of the estates of all deceased persons who, immediately before their death, were being or would have been assessed to Incometax had they derived any taxable income in any Incometax Circle, the headquarters of which lies within the revenue districts of Kanpur, Jhansi, Fatchgarh, Etawa and Mainpuri of the Uttar Pradesh State.

This notification shall be deemed to have come into force on 24th April 1968.

EXPLANATORY NOTE

(This note does not form part of the notification but is intended to be merely clarificatory).

This notification has become necessary due to the creation of Mainpuri Circle.

[No. 35/F. No. 21/33/68-E.D.]

**S.O. 4435.**—In exercise of the powers conferred by the second proviso to Sub Section (2) of Section 4 of the Estate Duty Act, 1953 and in supersession of its notification No. 13/F. No. 21/89/67-ED dated 25th July, 1967 published as S.O. 2500 in Part II, Section 3 Sub Section (ii) of the Gazette of India dated 5th August, 1968, the Central Board of Direct Taxes hereby directs that every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty cum Income-tax Circle, Lucknow shall perform his functions as Assistant Controller in the said circle to the exclusion of all other Assistant Controllers in respect of the estates of all deceased persons who, immediately before their death, were being or would have been assessed to Income-tax, had they derived any taxable income in any Incometax Circle, the headquarters of which lies within the revenue districts of Lucknow, Bareilly, Rampur, Moradabad, Bijnor, Agra, Nainital, Shahjahanpur, Sitapur, Gonda and Hardoi of the Uttar Pradesh State.

This notification shall be deemed to have come into force on 1st June, 1968.

Explanatory Note

(This note does not form a part of the notification but is intended to be merely clarificatory).

This notification has become necessary due to the creation of Hardoi Circle.

[No. 36/F. No. 21/33/68-E.D.]

**S.O. 4436.**—In exercise of the powers conferred by the second proviso to Sub Section (2) of Section 4 of the Estate Duty Act, 1953 and in supersession of its notification No. 36/F. No. 21/33/68-ED dated 3rd December, 1968, the Central Board of Direct Taxes hereby directs that every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty cum Income-tax Circle, Lucknow shall perform his functions as Assistant Controller in the said circle to the exclusion of all other Assistant Controllers in respect of the estates of all deceased persons who, immediately before their death, were being or would have been assessed to Incometax in any Incometax Circle the headquarters of which lies within the revenue districts of Lucknow, Bareilly, Rampur, Moradabad, Bijnor, Agra, Nainital, Shahjahanpur, Sitapur, Gonda, Hardoi and Lakhimpur Kheri of the Uttar Pradesh.

This notification shall be deemed to have come into force on 6th September, 1968.

Explanatory Note

(This note does not form a part of the notification but is intended to be merely clarificatory).

This notification has become necessary due to the shifting of headquarters of Income-tax Circle, Lakhimpur Kheri from Sitapur to Lakhimpur Kheri.

[No. 37/F. No. 21/33/68-E.D.]

A. R. RAO, Under Secy.

## BOMBAY CENTRAL EXCISE COLLECTORATE

## CENTRAL EXCISES

Bombay, the 13th November 1968

**S. O. 4437**—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules 1944, I hereby empower the undermentioned officers of Central Excise of the Bombay Central Excise Collectorate to exercise within their respective jurisdictions the powers of the Collector under the rules mentioned in column No. 2 subject to the limitations set out in column 3 of the subjoined table :—

Rank and Name of the Officers	Rules	Limitations	
		1	2
Assistant Collector Central Excise	173G(4)		To accept the private account relating to production, disposal etc. of excisable goods maintained by the assessee who are following the Self Removal Procedure as laid down in Chapter VII-A of the Central Excise Rules, 1944 provided all the information as required in form R.G. I prescribed under this Collectorate Notification No. CER/173G(4)/1/1968 dated the 30th May, 1968, can be readily obtained from such accounts.

[No. CER/5/9/68]

(F. No. V(30)34/Misc/68-Part III)

**8.O.4438**—In exercise of the powers conferred on me under Rule 5 of the Central Excise Rules 1944, I hereby empower the Assistant Collectors of Central Excise in the Bombay Central Excise Collectorate, to exercise within their respective jurisdictions the powers of the Collector under Rule mentioned in Column No. 1 subject to the limitations set out in column No. 2 of the subjoined table :—

Rule	Limitations
52A	To accept the manufacturer's documents other than gate pass in the statutory form to cover the removal of goods under the Self Removal Procedure under Chapter VII-A of the Central Excise Rules, 1944, provided they contain besides all information requisite for purposes of Rule 52A(a) details of rate of duty and the amount of duty on each consignment unless permitted not to show the same under proviso to sub-rule (2) of rule 173G and (b) the time of actual removal of the consignment from the factory. The description of the goods in such documents should be sufficiently detailed so as to be indicative of the correct tariff classification, rate of duty and assessable value. Such documents are to be serially numbered and duly signed by the assessee or his authorised agent or agents.

(F No V(30)34/Misc/68-Part III)

[No. CER/5/10/68]

A.K. ROY, Collector.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 30th November 1968

**S.O. 4439.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of West Barkuhi Colliery of Shri J. A. Trivedi Brothers, Civil Lines, Chhindwara (Madhya Pradesh) and their workmen, which was received by the Central Government on the 23rd November, 1968.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
1600, WRIGHT TOWN, JABALPUR.

Dated October 31, 1968.

PRESENT :

Sri G. C. Agarwala—*Presiding Officer.*

CASE REF. NO. CGIT/LC(R)(47) OF 1968

PARTIES :

Employers in relation to the management of West Barkuhi Colliery of Shri J. A. Trivedi Brothers, Civil Lines, Chhindwara (Madhya Pradesh).

*Vs.*

Its workmen.

APPEARANCES :

*For employers*—Sri R. J. Trivedi.

*For workmen*—Shri Mohammad Jamal, workman concerned.

INDUSTRY: Coal Mine.

DISTRICT: Chhindwara (M.P.).

AWARD

By Notification No. 5/36/68-LRII dated 26th August, 1968 the Ministry of Labour, Employment & Rehabilitation (Department of Labour & Employment), Government of India, referred the following matter of dispute as stated in the schedule to the order of reference to this Tribunal for adjudication:—

*Matter of Dispute*

“Whether the management of West Barkoni Colliery Post Office Chandametta, District Chhindwara (Madhya Pradesh) was justified in dismissing their workman, Shri Mohammad Jamal, Coal Cutter, with effect from the 30th December, 1967? If not, to what relief is the workman entitled?”

2. On issue of usual notices to the parties the employers filed written statement, but none was filed by the workman concerned, Sri Jamal on two successive dates fixed for the purpose i.e. 19th September and 9th October, 1968. The case was, therefore listed for *ex parte* hearing on 30th October, 1968. Meanwhile a communication was received from the workman concerned dated 24th October, 1968 and with which there was a petition that he had rendered 17 years of service and should be paid therefore, if not reinstated. When the case was taken up on 30th October, 1968 he was again found absent. The management's representative filed 13 documents and an affidavit was furnished by Sri R. J. Trivedi in formal proof of the documents. The workman, however, turned up at a subsequent stage after the employers had left. His statement was recorded and he filed an application dated 20th October, 1968. There is no consistency in his statement and communications. As a matter of fact, he has no valid defence.

Sri Mohd. Jamal was a Coal-cutter. He worked with another Coal-cutter, Salim, in pair. On 14th December, 1967 at about 5 P.M. he admittedly had brought out a bucket from the underground and had taken home. The other co-Coal-cutter, Salim Khan made a report to the Manager dated 16th December, 1967 intimating about the theft of a bucket. The Manager, Sri R. L. Bansal, directed the Overman, Sri M. P. Trivedi, to enquire and report. Sri Trivedi submitted a report stating that he had rebuked the workman, Sri Jamal, and had directed him to return back the bucket (Ex. E/1). Considering the past record of the workman, the Manager, decided to charge-sheet him which was

done by charge-sheet dated 19th December, 1967 (Ex. E/2). He was charge-sheeted on two counts viz. (1) for stealing bucket and (2) for abusing Sahun Khan, both of which are misconduct under the Standing Orders. Sri Jamal Mond submitted a reply on 21st December, 1967 (Ex. E/5). He admitted in his reply to have brought the bucket but stated that it was useless and he did it at the instance of Salim himself. He further stated that he had restored the bucket as desired by Overman. The explanation was not considered satisfactory and therefore the Manager directed an enquiry (Ex. E/3). Sri G. C. Rai was appointed the Enquiry Officer. Sri Jamal was informed about the fact (Ex. E/4). The Enquiry Officer conducted the enquiry on 22nd December, 1967 and the proceedings (Ex. E/6) would reveal that the Enquiry Officer examined Sri Salim, Coal-cutter, who made a report and the Overman, Sri M. C. Trivedi. Both of them were cross-examined by Sri Jamal. Sri G. C. Rai submitted a report (Ex. E/7) on 27th December, 1967 finding both the charges proved and in consequences thereof the Manager dismissed Sri Jamal by an order dated 30th December, 1967 (Ex. E/8). It has been stated in the dismissal order that the past record of the workman revealed that he had been charge-sheeted six times for various misconducts in the past and was suspended on four occasions with severe warnings. Inspite of this, no improvement had been marked in his conduct. Ex. E/9 to E/13 confirmed the fact of previous charge-sheets and warnings from 9th November, 1960 to 8th August, 1967. The workman nowhere challenged the fact that the bucket was not removed by him. He gave conflicting versions in his explanations and communications to this Tribunal as to how it came in his possession. There is nothing to indicate any infirmity in the domestic enquiry which seems to have been fairly and properly held. Considering the past record of the workman the punishment was fully justified.

*Decision.*—The issue under reference is answered in affirmative. The management was fully justified in dismissing Sri Mohd. Jamal Coal-cutter with effect from 30th December, 1967. He is not entitled to any relief. No order for costs.

(Sd.) G. C. AGARWALA, Presiding Officer.

31-10-1968.

[No. 5/36/68-LR.II.]

**S.O. 4440.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3) Dhanbad, in the industrial dispute between the employers in relation to the Bhagaband Colliery, Post Office Bhagaband, District Dhanbad and their workmen, which was received by the Central Government on the 22nd November, 1968.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 3) AT DHANBAD**

**REFERENCE NO. 76 OF 1968**

**PRESENT :**

Shri Sachidanand Sinha, Presiding Officer.

**PARTIES:**

Employers in relation to the Bhagaband Colliery.

*Vs.*

Their workmen.

**APPEARANCES :**

*For employer:* Shri A. M. Joshi, Personnel Officer.

*For workmen:* Shri P. B. Chaudhary, Member of the Executive, Colliery Staff Association, P.O. Sijua (Dhanbad).

**INDUSTRY:** Coal.

**STATE:** Bihar.

*Dhanbad, the 15th November 1968*

**AWARD**

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Bhagaband Colliery, Post Office—Bhagaband, District—Dhanbad and their workmen, by its order No. 2/95/66-LRII dated the 10th of January, 1967 referred to the Central Government Industrial Tribunal, Dhanbad under Section

10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The Schedule is extracted below:

#### SCHEDULE

"Whether the termination of Service of Shri Hari Charan Gope, Chaprasi, by the management of the Bhagaband Colliery with effect from the 9th December, 1965 was justified ? If not, to what relief is he entitled ?"

2. The Central Government Industrial Tribunal Dhanbad registered the reference as reference No. 6 of 1967. While it was pending before the Central Government Industrial Tribunal, Dhanbad, the proceeding was transferred by the Central Government's Order No. 8/25/67-LRII dated the 8th May, 1967 to the Central Government Industrial Tribunal No. 2, Dhanbad where it was numbered as reference No. 205 of 1967. The Central Government by its subsequent Order No. 8/71/68-LRII dated the 17th August, 1968 transferred the dispute to this tribunal and it has been renumbered as reference No. 76 of 1968.

3. It is not necessary to state the respective cases of the parties because the parties negotiated the dispute and have settled it amicably. They have filed a compromise petition at annexure "A". According to the terms of settlement Shri Hari Charan Gope, the concerned workman will be taken back as a night watchman with immediate effect on a basic wage of Rs. 155 per month in the scale of Rs. 146—3—176—4—184 as per the recommendations of the Wage Board and the period from 9th December, 1965 till the date of resumption of his duty will be treated as leave without pay for the purpose of continuity of service and the management agrees to pay Shri Hari Charan Gope an *ex-gratia* amount of Rs. 1,250.00 (Rupees one thousand two hundred and fifty only) in full and final settlement of all his claims. Considering the terms of compromise it shall have to be held that the compromise is fair and reasonable. I accept the same and pass an award in terms of the joint settlement annexure "A" which shall form part of the award. The award may now be submitted to the Central Government under Section 15 of the Industrial Disputes Act, 1947.

(Sd.) SACHIDANAND SINHA,  
Presiding Officer.

Central Govt. Industrial Tribunal-cum-Labour,  
Court No. 3, Dhanbad.

#### ANNEXURE "A"

BEFORE THE HON'BLE PRESIDING OFFICER, CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD.

REFERENCE NO. 76 OF 1968

#### PARTIES:

Employers in relation to Bhagaband Colliery of M/s. Borrea Coal Co. Ltd., P.O. Bhagaband, Dist. Dhanbad.

#### AND

Their workmen represented by the Colliery Staff Association, P.O. Jharia, (Dhanbad).

#### *Joint Petition of Compromise*

The parties above-named most respectfully beg to submit as under:—

- (1) That the above matter was referred for adjudication *vide* Ministry of Labour, Employment & Rehabilitation (Department of Labour & Employment) Notification No. 2/95/66-LRII dated the 10th January, 1967, published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 21st January, 1967 as S.O. No. 258 at page 145.
- (2) That the said matter is pending before this Hon'ble Tribunal for adjudication.
- (3) That the parties in the meantime have mutually discussed the matter and have arrived at a settlement in terms stated hereunder:—

#### *Terms of Settlement*

- (a) That without prejudice to the respective contentions of the parties, it is agreed that the workman concerned namely Shri Hari Charan Gope will

be taken back as a night watchman with immediate effect on a basic wage of Rs. 155.00 per month in the scale of Rs. 146—3—176—4—184 as per the recommendations of the Wage Board.

- (b) That Shri Hari Charan Gope will report for duty to the Manager of the Colliery within seven days of the date of this settlement, failing which he will forfeit the claim for his employment at the colliery.
- (c) That the period from 9th December, 1965 till the date of resumption of duty by Shri Hari Charan Gope as per this settlement will be treated as leave without pay for the purpose of continuity of service only.
- (d) That the Management agree to pay Shri Hari Charan Gope an *ex-gratia* amount of Rs. 1,250.00 (Rupees one thousand two hundred and fifty only) in full and final settlement of all his claims regarding wages, increments, leave, quarterly bonuses, bonus under the Payment of Bonus Act, 1965 and etc. for the period from 9th December, 1965 till the date of resumption of his duty as per this settlement and he will have no further monetary or any other claim for this period.
- (e) That the parties will bear their respective costs of these proceedings.

In the circumstances, the parties herein concerned most respectfully beg to pray that this Hon'ble Tribunal may graciously be pleased to accept this compromise and pass an Award in terms thereof.

And for this, the parties, as in duty bound shall ever pray.

*For workmen.*

(Sd.) P. B. D. CHOWDHURY,

Member of the Executive,  
Colliery Staff Association.

L.T.I of

HARI CHARAN GOPE,

Workman concerned.

Dated, the 14th November, 1968.

*For employers.*

(Sd.) ARJUN SINGH,

Dy. Supdt. & Agent,

Bhagaband Colliery of  
M/s. Borra Coal Co. Ltd.  
P.O. Bhagaband (Dhanbad).

(Sd.) A. M. JOSHI,  
Personnel Officer.

[No. 2/95/66-LR.II.]

**S.O. 4441.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of P. D. Kajora Colliery, Post Office Kajoragram, District Burdwan and their workmen, which was received by the Central Government on the 25th November, 1968.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CALCUTTA

REFERENCE No. 31 OF 1968

#### PARTIES :

Employers in relation to the management of P. D. Kajora Colliery,

AND

Their workmen.

#### PRESENT :

Shri B. N. Banerjee—Presiding Officer.

#### APPEARANCES :

*On behalf of Employers.*—Mr. Provat Kumar Mukherjee, Labour Advisor.

*On behalf of workmen.*—Mr. Banarsi Singh Azad, General Secretary, Khan Shramik Congress.

STATE: West Bengal.

INDUSTRY: Coal Mines.

## AWARD

By Order No. 6/41/68-LRI, dated June 13, 1968, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following dispute between the employers in relation to the management of P. D. Kajora Colliery and their workmen, for adjudication, to this tribunal, namely:—

“Whether the management of P. D. Kajora Colliery, Post Office Kajoragram, District Burdwan was justified in terminating the services of Shri Nageshwar Singh, Trammer with effect from the 30th January, 1968? If not, to what relief is the workman entitled?”

2. The cause of the workmen was espoused by a trade union known as Khan Shramik Congress which filed a written statement. The case pleaded by the Shramik Congress on behalf of the workman was in substance that because Nageshwar Singh had left the Colliery Mazdoor Sabha, a trade union which was favourable to the employer, and because he was taking a leading part in organising a new trade union, namely, the Khan Shramik Congress, the management became displeased with Nageshwar Singh and dismissed him. In paragraph 6 of the written statement, it was specifically pleaded:

“6. That the Management served a termination notice dt. 30th January, 1968 which the workman has received on 8th February, 1968. This termination did not state any reason so it is quite baseless and unjustified. The said Nageshwar Singh is a permanent and regular worker of this establishment, working since 11 years. So this type of baseless termination from the service to (sic) a regular and permanent workman to (sic) Sri Nageshwar Singh is not also reasonable and justified in natural justice.”

The notice of termination, mentioned in paragraph 6 quoted above, is Ext. I and the material portion reads:

“Management has decided to terminate your service.

It is a termination simpliciter. You will be paid one week's wages. You vacate Quarters.”

3. The employer colliery also filed a written statement. It is pleaded in paragraph 2 of the written statement:

“2. This employer states that the present reference is incompetent and untenable in law in view of the fact that no dispute as to reinstatement at all was raised by the workmen with the employer and the Union raised the demand for reinstatement of the said worker for the first time before the Conciliation Officer. This employer further states and submits that a mere demand to the Government without a dispute being raised by the workman with this employer, cannot become an industrial dispute and on this ground alone this application should be dismissed.”

It is also pleaded in paragraph 8 of the written statement:

“8. \*\*\*\*The said termination was simpliciter and was quite legal and justified. The employer further denies that the said Nageshwar Singh was a permanent and regular worker or working since 11 years. The said termination is neither baseless or unreasonable and unjustified and is in conformity with the principles of natural justice.”

4. Broadly, termination of services of a workman, which is not inflicted by way of disciplinary action or which is not caused by voluntary retirement, superannuation or premature retirement or compulsory retirement on account of ill health, amounts to dismissal or retrenchment. Mr. P. K. Mukherjee, who appeared for the employer, realised this point and in his wisdom did not argue that the order of termination was lawful, in as much as the procedure for retrenchment had not been followed. I am thus not called upon to decide the dispute referred to this tribunal on its merits. Mr. Mukherjee, however, argued a preliminary objection about the maintainability of the reference and that was the only point which he argued for my consideration. He conceded if his preliminary objection failed, he would not be able to support the order of termination as made on the workman. The preliminary objection urged by him has two branches, namely, (a) the Khan Shramik Congress had either no membership from amongst the workmen of the colliery concerned or its membership was limited to a few only and had no *locus standi* to raise an industrial dispute on behalf of the workman and (b) no dispute as to reinstatement of the concerned workman was raised by the workmen before the employer

and the trade union raised the demand for reinstatement for the first time before the Government; a mere demand to the Government, without a dispute being raised by the workman with the employer first of all, he submitted, cannot become an industrial dispute. The first objection in the present form was not taken in the written statement. The employers did not call for the membership register of the Khan Shramik Congress. Confronted with an objection of this nature Khan Shramik Congress could only lead oral evidence in support of its case that it was not a stranger union. Banarshi Singh, witness No. 2 for the workmen, who is a Mining Sirdar and the President of the Colliery branch of the Khan Shramik Congress deposed :

"About 114 workers of the colliery are members of the Khan Shramik Congress. About 300 workers work in the colliery. Nageshwar Singh is the Secretary of the Colliery branch of the Khan Shramik Congress."

I do not find any reason to disbelieve this witness. The only witness examined on behalf of the management was Kali Charan Moitra, a despatch clerk. He said in his evidence :

"I am not aware that there is any trade union known as Khan Shramik Union operating in our colliery \*\*\* Proprietors are not in any way concerned with the rivalry between the Colliery Mazdoor Sabha and the Khan Shramik Congress."

In his cross-examination, however, he admitted :

"I attended several conciliation proceedings before the Conciliation officer in which Khan Shramik Congress was fighting for the cause of the workmen. I do not belong to the Colliery Mazdoor Sabha."

The evidence of this witness did not inspire confidence in me. He said that he was not aware of the existence of Khan Shramik Congress, although he had himself attended several conciliation proceedings in which both he and the Khan Shramik Congress participated. I am, therefore, inclined to believe that the Khan Shramik Congress controls about one third of the workmen in the colliery and is a good enough union to represent the cause of the workmen, for the purpose of an industrial dispute.

5. In support of the second branch of his argument, Mr. Mukherjee relied on a decision of the Supreme Court in *Sindhu Resettlement Corporation Ltd. vs. Industrial Tribunal of Gujarat* (1968) Labour & Industrial Cases 526—1968 S.C. 529. It is necessary for me to discuss, in some detail, the above case. What happened in that case was that one R. S. Ambwaney was employed by Sindhu Resettlement Corporation Ltd. as an Accounts clerk at Gandhidham, on a salary of Rs. 200 plus 20 per cent as site allowance. This site allowance was discontinued in March, 1952. In the year 1953, the Government of India decided to develop Kandla as a port and a subsidiary company was formed by the Sindhu Resettlement Corporation Ltd. under the name of Makenzies Heinrich Bulzer (India) Ltd., in which one of the principal shareholders was Sindhu Resettlement Corporation. This company later came to be known as Sindhu Hotchief (India) Ltd. This subsidiary company wanted some trained employees and, amongst others, the services of Ambwaney were placed at its disposal. The case of Ambwaney was that he was told orally by the officer of the Appellant that he was to work in the office of the subsidiary company. He was appointed in the subsidiary company on a salary of Rs. 240 per month, as an accounts clerk, on conditions of service mentioned in that order. Ambwaney worked at the subsidiary company upto 20th February, 1958 when his services were terminated, after payment of retrenchment compensation and all other dues payable to him. On 21st February, 1958, Ambwaney went to the office of the Sindhu Resettlement Corporation, reported himself for duty and requested that he might be given posting order in the corporation. The corporation informed him of its inability to re-employ him on the ground that the post which he had been occupied in 1953 had been permanently filled up. Thereupon, he demanded retrenchment compensation from the Corporation also. This was refused. His case was taken up by Mazdoor Mahajan Singh, Gandhidham, Kutch, which wrote a letter to the management of Sindhu Resettlement Corporation asking for payment of retrenchment compensation to Ambwaney on the ground that the Corporation had refused to take him back in its employment. It seems that thereafter there were some conciliation proceedings and subsequently, on the report of the Conciliation Officer, the Government of the State of Gujarat referred the dispute for adjudication. The matter referred for adjudication was described in the notification as:

"Demand No. I: Shri R. S. Ambwaney should be reinstated in the service of M/s. Sindhu Resettlement Corporation Ltd. and he should be paid his wages from 21st February, 1958."

The tribunal which heard the reference ordered reinstatement. A writ petition, challenging the order before the High Court, was dismissed. Thereafter, the matter was taken before the Supreme Court. One of the points which was argued before the Supreme Court was that the dispute that was raised by Ambwaney as well as by Mazdoor Mahajan Sangha with the management of Sindhud Resettlement Corporation was confined to compensation for retrenchment and did not relate to the validity of the retrenchment or reinstatement so that the Government of Gujarat had no jurisdiction to refer the dispute to the Industrial Tribunal which it did. In the background of these facts, the Supreme Court observed:

"If no dispute at all was raised by the respondents with the management, any request sent by them to the Government would only be a demand by them and not an industrial dispute between them and their employer. An industrial dispute, as defined, must be a dispute between employers and employers, employers and workmen, and workmen and workmen. A mere demand to a Government, without a dispute being raised by the workmen with their employer, cannot become an industrial dispute. Consequently, the material before the Tribunal clearly showed that no such industrial dispute, as was purported to be referred by the State Government to the tribunal, had ever existed between the appellant Corporation and the respondents and the State Government, in making a reference, obviously committed an error in basing its opinion on material which was not relevant to the formation of opinion. The Government had to come to an opinion that an industrial dispute did exist and that opinion could only be formed on the basis that there was a dispute between the appellant and the respondents relating to reinstatement. Such material could not possibly exist when, as early as March and July, 1958, respondent No. 3 and respondent No. 2 respectively had confined their demands to the management to retrenchment compensation only and did not make any demand for reinstatement. On these facts, it is clear that the reference made by the Government was not competent. The only reference that the Government could have made had to be related to payment of retrenchment compensation which was the only subject matter of dispute between the appellant and the respondents."

On the basis of this judgment, Mr. Mukherjee argued that the claim for reinstatement of the dismissed workman was raised by the trade union for the first time before the Conciliation Officer and never before the management and that would not constitute an industrial dispute. In my opinion, the Supreme Court decision, relied upon by him, does not support Mr. Mukherjee in his contention. It has been held by the High Court, Calcutta, in *Express Newspaper Private Ltd. vs. 1st Labour Court, West Bengal* (1959) I LLJ 600, that the real test is whether the majority or a large portion of the workmen employed in a particular industry are concerned in the industrial dispute or not; where the union is of the workmen employed in the particular industry, it may be presumed that when the union takes up the cause of an individual workman it signifies a concerted action on the part of the workmen who are members of the union. In this case, the union, in which about one third of the workmen were members, took up the dispute of the concerned workman. Before the management there was claim for reinstatement of the workman. That claim was reiterated by the union before the Conciliation Officer. Therefore, the facts of this case is distinguishable from the facts in the case before the Supreme Court, where one claim was made before the management and another claim was referred to the tribunal. In this case, as I have already stated, there was one claim which was throughout being agitated that claim was espoused, by a trade union of a considerable portion of the workmen. That converted the dispute into an industrial dispute.

6. In the result, I find that there is no substance in any of the two branches of the preliminary objection urged in this case. I, therefore, overrule the preliminary objection.

7. Since the preliminary objection was the only justification pleaded in support of the order of termination of services and since that objection fails and since on the materials I am convinced that an order of termination, in the summary fashion as made, is not permissible under the Industrial Disputes Act, I hold that the management of P. D. Kajora Colliery was not justified in terminating the services of Shri Nageshwar Singh, trammer, with effect from 30th January, 1968.

8. Since the workman was dismissed in a grossly summary fashion, I direct his reinstatement from the date of publication of this award. There is no evidence before me that

the workman remained unemployed during the entire period of his enforced idleness, I, therefore, make no order for payment of back wages to him.

This is my award.

Dated, the 20th November, 1968.

(Sd.) B. N. BANERJEE,  
Presiding Officer.  
[No. 6/41/68-LRII.]

**S.O. 4442.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Rana Colliery of Messrs Lodna Coal Company (1920) Limited, Post Office Kalipahari, District Burdwan and their workmen, which was received by the Central Government on the 25th November, 1968.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA**

**REFERENCE NO. 32 OF 1968**

**PARTIES:**

Employers in relation to the management of Rana Colliery of Messrs Lodna Coal Company (1920) Limited,

AND

Their workmen.

**PRESENT:**

Shri B. N. Banerjee—*Presiding Officer.*

**APPEARANCES:**

*On behalf of Employers.*—Shri D. Basu Thakur, Advocate.

*On behalf of workmen.*—Shri Satyen Banerjee, Advocate.

**STATE:** West Bengal.

**INDUSTRY:** Coal Mines.

**AWARD**

By Order No. 6/43/68-LRII, dated July 15, 1968, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following dispute, between the employers in relation to the management of Rana Colliery of Messrs Lodna Coal Company (1920) Limited and their workmen, to this tribunal, for adjudication, namely:—

“Whether the action of the management of Rana Colliery of Messrs Lodna Coal Company (1920) Limited, Post Office Kalipahari, District Burdwan, in treating Sarvashri T. P. Chatteraj and T. P. Prosad as Shale-Pickers instead of Assistant Loading Clerks is justified? If not, to what relief are they entitled and from what date?”

2. The cause of the workmen was espoused by a trade union known as Ningha Colliery Mazdoor Union. In the written statement filed on behalf of workmen it was stated:

“2. That both the aforesaid workmen are literate workers and they have been working as Asstt. Loading Clerks and have been maintaining written records regarding loading of coal in wagons in the colliery and the Company admitted them to have been working as such in their various letters and records.

3. That the management is notorious for unfair labour practice and for exploiting the labour, the aforesaid workmen have been wrongly designated in the records of the management as Shale Pickers and they have been paid as such.

4. That the aforesaid workmen in view of their work as Asstt., Loading Clerks are entitled to have been paid the salary fixed for such employees @ Rs. 140 p.m. at that time.

\* \* \*

3. The management have been repeatedly approached by the workers and their officers for payment of wages to the employees as per law but the management is trying to avoid their responsibility.”

3. The employer colliery also filed a written statement. In paragraph 3 of the written statement, it was stated:

"3. That Ningha Colliery Mazdoor Union has got no locus standi to represent the case of instant workmen."

In paragraph 6 of the written statement, it was further stated:

"6. \*\*\*\* It is not known whether these two workmen are literate or illiterate as no such test examination was ever held. They have not been working as Asstt., Loading Clerks. They do not maintain written records regarding loading of coal in wagons in the Collieries. The Company never admitted that they have been working as asstt., Loading Clerks. The Company is always fair and reasonable and never adopted methods of unfair labour practice. Both the workmen are Shale Pickers from the beginning when they joined the management. \*\*\* "

In paragraph 8 of the written statement, it was denied that the workmen ever approached the management or their officers for relief. It was categorically stated that the workmen had no reason to approach because all through they were shale pickers. In paragraph 9 of the written statement the employer colliery pleaded:

"9. That these two workmen were temporary shale pickers. Sree T. P. Prosad has been working as Shale Picker since 1960; Sree T. P. Chattoraj has been working since 1965 as Shale Picker. And as such pencil written wages sheets as usual for temporary labour were maintained. These two shale pickers have been made permanent designating them as Depot Labour since 1968 and they have been drawing their wages as such. Past available wage-sheets Bonus registers in Form X and B form registers, Time book Attendance registers and other papers and documents will show that they were made permanent as Depot Labour. In such capacity as temporary shale pickers they have been drawing their wages and receiving all attendant benefits and never protested against imaginary designation. Even after placing the alleged grievance before the Asstt. Labour Commission (Central), the workmen concerned as usual drew their wages as shale pickers and thereafter in 1968 they were made permanent designating them as Depot Labour, which they have accepted and are drawing their wages as such."

4. At the time of hearing of this reference, Mr. D. Basu Thakur, Advocate, appeared on behalf of Lodna Colliery Company (1920) Limited, which owns the employer colliery. The trade union was represented by Mr. Satyen Banerjee, Advocate.

5. Witnesses were examined both on behalf of the management and also on behalf of the trade union. Several documents were marked as Exhibits on behalf of the parties. I propose to give a short gist of documentary evidence in the case at this stage. Mr. Satyen Banerjee invited my attention to Ext. 1. a letter from the employer colliery to Tarapada Prosad and another, in which Tarapada Prosad, one of the concerned workmen, was described as "Asstt., L/clerk" at the heading of the letter. The said letter, dated June, 21, 1963, reads:

"As per inspection on 21st June, 1963 by me and the Labour Adviser this has been decided that you are responsible for general cleaning and you should ensure that shales are properly picked."

Mr. Basu Thakur raised a point of refinement. He said that the words 'Asstt, L/clerk' were written against the name of Sain Roy, the other workman to whom also the letter was addressed, but such words were not repeated against the name of Tarapada Prasad. This argument does not appeal to me. Below the words 'Asstt, L/clerk' there are marks like this — " " — which indicates ditto and I am prepared to read Asstt. L/clerk also against the name of Tarapada Prasad. This may amount to some admission on the part of the employer. Ext. 2 is a letter from the General Secretaray, Ningha Colliery Mazdoor Union, to the Assistant Labour Commissioner (C) complaining against the treatment which was being meted to the two concerned workmen, namely that although both of them were Assistant Loading clerks, they were being designated as shale-pickers and were being paid as such. This letter does not prove anything, excepting that a complaint was made by the trade union to the Assistant Labour Commissioner. Mr. Banerjee invited my attention to Ext. 3, a letter dated February 14, 1968, written by the General Secretary of Ningha Colliery to the Manager of Rana Colliery asking for redress of the grievances of the two concerned workmen, as herein before indicated. This letter also has no more value than that such a complaint had been made to the Manager. Mr. Banerjee lastly invited my attention Ext. 4 (Marked subject to objection) being a letter jointly addressed to the Chief Mining

to Engineer by the two concerned workmen, bearing the date February 5, 1968 which they repeated the grievances. This letter also has no great evidentiary value than that of mere complaint.

6. On behalf of the management, Mr. Basu Thakur invited my attention to four leave applications, Exts. A to A3, either by Tarapada Prosad or by T. P. Chatteraj, in which both the workmen were described as "S/picker" meaning shale-pickers. Mr. Banerjee on behalf of the trade union contended that the words 'shale-pickers' were written in the heading not by the workmen but by the management and should not be utilised as an admission made by the workers. Mr. Basu Thakur also invited my attention to two statements (Exts. B and B1) prepared for Coal Mines Provident Fund Commissioner, in which Tarapada Prosad and T. P. Chatteraj were described as shale-pickers. Mr. Banerjee, however, argued that a description wrongly clamped on the workmen should not be taken as binding. Lastly Mr. Basu Thakur invited my attention to the weekly wage sheet of the colliery for the week ending December 9, 1967 (Ext. C) in which Tarapada Prosad and T. P. Chatteraj were both described as shale-pickers coolies. Mr. Banerjee's objection was that this wrong description should not be taken note of.

7. Before I leave the summary of the documentary evidence, I need refer to two other pieces of evidence which Mr. Banerjee, on behalf of the trade union, suddenly took out from his possession and confronted the employer's witness Kapildeo Singh, while he was giving evidence. They are two loading registers of Rana colliery respectively marked Ext. 5A and 6A by consent. Mr. Banerjee confronted the witness with a page in Ext. 5A (marked Ext. 5), which did bear three signatures at the bottom, one of them being the signature of T. P. Chatteraj. He also confronted the witness with another page of Ext. 6A (marked Ext. 6), and which also did bear three signatures at the bottom, two of them being respectively the signature of Tarapada Prosad and T. P. Chatteraj. From Exts. 5 and 6 Mr. Banerjee wanted to argue that Tarapada Prosad and T. P. Chatteraj were both Wagon loading clerks and that explained the reason why they did put their signatures on the wagon loading registers, Exts. 5A and 6A. Kapildeo Singh, however, explained away the signature of Tarapada Prosad and T. P. Chatteraj with the observation that Tarapada Prosad and T. P. Chatteraj were supervising shale picking and in that capacity they put their signatures on the wagon loading registers. This is in short the substance of the documentary evidence in this reference.

8. Before I take up for consideration the oral evidence, I need dispose of a preliminary point urged in this case by Mr. Basu Thakur. The number of workmen employed at Rana colliery is about three thousand. The Ningha Colliery Mazdoor Union has at best control over 350 workmen, as admitted by Sunil Mazumdar, the Secretary of the trade union, which again Mr. Basu Thakur disputed. According to Mr. Basu Thakur, Ningha Colliery Mazdoor Union is either a stranger union or a minority union in the colliery and as such has no locus standi to raise an industrial dispute. I am not very much impressed by this argument. In *Express Newspaper (Private) Limited v. 1st Labour Court, West Bengal* (1959) I LLJ 600, Sinha, J. (as he then was) observed that the real test appeared to be as to whether the majority or a large portion of the workmen employed in a particular industry were concerned in the dispute or not. Whether the union was of the workmen employed in that particular industry, it would be presumed that the union took up the case of the individual workman and it signified the concerted action on the part of the workmen who were members of that union. Apart from the view expressed by the Calcutta High Court, the trend of the decisions is that a collective dispute does not mean that all the workmen or a majority of workmen of the establishment concerned should sponsor and support the dispute. All that is necessary is, that a dispute in order to become an industrial dispute, should have the support of a section of the workmen concerned in the establishment concerned. Even a minority group of workmen of an establishment can make a demand and thereby raise an industrial dispute, which in a proper case may be referred to adjudication under Section 10 of the Industrial Disputes Act. In the case of *Indian Cable Co., Ltd., v. its workmen* (1962) I LLJ 409 (415) Venkatrama Ayyar, J. observed:

"No hard and fast rule can be laid down as to the number of workmen whose association will convert an individual into an industrial dispute. That must depend on the facts of each case, and the nature of the dispute. The group might even be a minority, as held by this Court in *Associated Cement Corporation Ltd. v. Their workmen* (1960-1 L.L.J. 491). But it must be such as to lead to an inference that the dispute is one which affects workmen as a class."

Here, the nature of the dispute was basically a charge of exploitation, that is to say, employing a workman at lower wages for one kind of duty and then making him do another

kind of duty which should be paid at higher rate. This kind of dispute certainly affects workmen as a class. Thus, the mere fact that the Ningha Colliery Mazdoor Union is a minority union of the workmen of Rana Colliery will not lead to the conclusion that the trade union is not competent to raise the industrial dispute.

9. Mr. Basu Thakur next stated that Ningha Colliery Mazdoor Union was registered as a trade union only on April 1, 1968. Before it came into existence as a trade union, it raised the industrial dispute before the management and the Assistant Labour Commissioner as will appear even from exhibits, namely, Ext. 2 and Ext. 3, I do not make much of this objection, because when the Conciliation proceedings were going on before the Conciliation Officer, on April 26, 1968, Ningha Colliery Mazdoor Union was a full-fledged registered union.

10. Having thus cleared the ground of the preliminary objection, I now turn to the oral evidence on merits. In this respect Mr. Banerjee for the trade union made a very important concession, when he stated that he would not argue that the two concerned workmen had been originally appointed as Assistant Loading Clerks. The extent of his argument would be that although they had been appointed as shale-pickers, their services were utilised as Assistant Loading Clerks but they were paid the lower wages of shale-pickers. They were thus exploited. This he submitted was unfair labour practice and relief should be given to the workmen.

11. Kapildeo Singh, the only witness on behalf of the management stated in his evidence: "Tarapada Prosad and T. P. Chattoraj used to work as shale-pickers. The management, however, entrusted them, out of consideration for their family reputation, with the special work of supervision over the work of shale-pickers where loading was manually done and also supervision of wagons, mechanically loaded, so as to ascertain if shales were being loaded in such wagons. They did not, however, maintain any register or to write any register".

The above evidence, however, is an improvement on the case pleaded in the written statement, namely, that both the workmen were shale-pickers from the beginning when they joined the colliery. It may be that they were appointed as shale-pickers but, as admitted by Kapildeo Singh, the management showed consideration for them and deputed them to special work of supervision over shale-pickers.

12. I now turn to the evidence adduced on behalf of the trade union. The evidence of Sunil Mazumdar, General Secretary of Ningha Colliery Mazdoor Union is of no avail, because he has no direct knowledge about the original appointment of the two workmen and the nature of duty that they used to perform. He may have taken up their grievances and made representation before the management but he did so on the basis of what he had heard from the two workmen. Tarapada Prosad and T. P. Chattoraj, the two concerned workmen, both gave evidence. They both stated that they used to perform the duties ordinarily assigned to assistant loading clerks. I feel some hesitation in placing reliance on these two witnesses. They contradicted each other in material particulars. One of them must be a witness of falsehood. May be both are such. Both the workmen were cross-examined on the genuineness of Ext. 4, the letter dated February, 5, 1968, said to have been addressed by both the workmen to the Chief Mining Engineer. Tarapada Prosad said in his examination-in-chief:

" \*\*\* I made representation to the company protesting against the salary of a shale picker which was being paid to me, while I was made to work as an assistant loading clerk. That was letter signed by both myself and T. P. Chattoraj. (Shown copy of letter dated 5th February, 1968). The copy was made by Nirode Banerjee. He is a member of the public. I did not keep a copy in my own handwriting because my handwriting may not be in order. The original was sent in type-script. Comparison of the copy was not done by myself. The original was sent by registered post acknowledgement due. (Shown acknowledgement receipt). This is that acknowledgement receipt. I do not know whose signature appears on the ack. receipt (Copy of the letter with acknowledgement receipt marked Ext. 4 and 4(a) subject to objection). \*\*\*

In his cross-examination he further stated:

" \*\*\* Nirode Babu the draftsman of this letter Ext. 4 does not work at Rana Colliery. Nirode Babu drafted this letter at his own shop where I went. Tara Prasanna Chattoraj accompanied me to Nirode Babu's shop. There is a typist at Jamuria by whom I got the draft of Ext. 4 typed. What I mean to

say Ext. 4 is the original draft prepared by Nirode Babu from which the typed script was prepared. This is not a copy of the typed script. This is the original draft itself. The typist typed out verbatim from the draft. On the draft it is not written anywhere by 'Registered Post A. D.'. I do not remember whether any such thing was written in the typed copy." \*\*\*

As against the two statements made by Tarapada Prosad, T. P. Chatteraj said in his examination-in-chief.

(Shown Ext. 4). This is the letter which was written to the management by myself jointly with Tara Prasad. This letter was sent by Registered post. One letter was sent by registered post by myself. Another copy of the letter was sent by the trade union known as Ningha Colliery Mazdoor Union. (The witness thereafter retracts his statement and says that he informed the union but does not remember whether the trade union sent a copy of the letter to the management)." \*\*\*

In his cross-examination he further stated:

"\*\* I do not remember in whose handwriting Ext. 4 is. This letter, Ext. 4, was written by my Nephew Arun Kumar Chatteraj. The draft of Ext. 4 was prepared by my cousin Satyen Chatteraj. He was an officer to the State Bank of India but is now unemployed. I know Nirode Babu. He works in the office of Rana colliery. The original of letter, Ext. 4 was drafted at my own house at Sripur. Tarapada Prosad accompanied me to my house at Sripur. I had the letter typed by a typist at Asansol. Ext. 4 copy of the original was prepared by my nephew Arun Chatteraj. The original draft has been misplaced. Jamuria is 7 to 8 miles away from Asansol by road. Although the letter was typed at Asansol it was registered at Sripur Post office. I myself went to the post office to have the letter registered. Both sides of the ack. receipt are not written by the same hand. (The witness does not remember by whose hand the writings were made)." \*\*\*

A comparison of the evidence of the two witnesses will show that they prevaricated. They contradicted each other in material particulars. The contradictions are such that both the statements cannot be true. Therefore, one of them must be a witness of falsehood. May be both. Since I cannot find out which of them was not speaking the truth or where both of them were speaking the untruth, I do not find it safe to rely on their evidence. Further, the way in which they gave evidence before the tribunal, the nature of their haulting answers, their demeanour and their way of speaking did not inspire confidence in me.

13. If I discard the evidence of the two witnesses, then I am left with the evidence led on behalf of the employer colliery. The documentary evidence, excepting Ext. 1 shows that the two workmen were employed as shale-pickers. That is also the evidence of Kapildeo Singh. Now, Kapildeo was not cross-examined on Ext. 1. He was not confronted with that document so that he might have explained. I am inclined to think, regard being had to the weight of evidence that the ditto mark against the name of Tarapada Prosad may have been mistaken print. At any rate, this is not conclusive.

14. If there was any substance in the grievance made on behalf of the workmen, it was likely that the protest would have been made long long ago. The explanation by workman Tarapada Prosad that he had not protested earlier out of fear does not impress me because the workman T. P. Chatteraj says that he had made verbal protest but not protest-ed in writing. In my opinion, the absence of earlier protest is speaking of non-existence of grievance.

15. On the materials before me, I am unable to find that the trade union succeeded in proving the case pleaded in the written statement. Since I am not satisfied that the two workmen named in the order of reference were being employed as assistant loading clerks no question arises as to whether the action of the management of Rana Colliery of Messrs Lodna Coal Company (1920) Limited in putting T. P. Prosad and T. P. Chatteraj as shale-pickers instead of Assistant Loading Clerks was justified. As such, I answer the question referred to this tribunal in negative. I also hold that the workmen are entitled to no relief whatsoever.

This is my award.

(Sd.) B. N. BANERJEE,  
Presiding Officer.

Dated the 22nd November, 1968.

[No. 6/43/68-I R.P.]

**S.O. 4443.**—In pursuance of section 17 of the Industrial disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of Shri V. P. Pratap, Assistant Labour Commissioner (Central), Jabalpur in the industrial dispute between the employers in relation to the Banki Colliery of Messrs National Coal Development Corporation Limited, Post Office Bankmogra, District Bilaspur (Madhya Pradesh) and their workman Shri Mahabir, which was received by the Central Government on the 23rd November, 1968.

### ARBITRATION AWARD

(Under Section 10-A of the Industrial Disputes Act 1947)

[In the matter of an industrial dispute between the management of Banki Colliery (N.C.D.C. Ltd.), P.O. Bankimogra, Distt. Bilaspur and Mahabir, Winding Engine Operator of Banki Colliery.]

PRESENT :

Shri Ved Prakash Pratap—Assistant Labour Commissioner (Central) Jabalpur,  
Arbitrator.

APPEARANCES:

*For the management.*—None.

*For the workman.*—Shri Rambilash Sobhanath, Secretary M. P. Colliery Workers Federation (INTUC), Banki Branch, P.O. Bankimogra Authorised Representative of the workman.

### AWARD

As per Arbitration Agreement dated 1st September, 1968, Under Section 10-A of the Industrial Disputes Act, between the management of Banki Colliery of N.C.D.C. Ltd., P.O. Bankimogra, Dt. Bilaspur and its workman Shri Mahabir, Winding Engine Operator (Cat. V of the Wage Board Award) as published in the Gazette of India under Notification No. 8/60/68-LR.II dated 5th October 1968 of the Govt. of India, Ministry of Labour, Employment & Rehabilitation (Department of Labour & Employment), New Delhi, the following issue was referred to me for arbitration by me within a period of three months or within such further time as is extended by the parties in writing:—

“Whether the retrenchment of Shri Mahabir, Winding Engine Operator (Cat. V of the Wage Board Award), Banki Colliery of National Coal Development Corp. Ltd. with effect from 15th January, 1968 was legal and justified. If not, to what relief is he entitled?”

The Arbitration Agreement further provided that in case the Award is not given within a period of three months the reference to Arbitration would stand automatically cancelled and the parties would be free to negotiate for fresh arbitration.

2. On receipt of the Arbitration Agreement dated 1st September, 1968, both the parties were required under this office letter dated 21st September, 1968 to submit a brief and self-contained statement of their cases to me by 29th September, 1968 endorsing a copy thereof to the opposite party. They were also requested to submit rejoinders, if any, by 5th October, 1968 endorsing copy to the opposite party.

3. As no written statements/rejoinders were received, both the parties were requested to attend this office hearing on 31st October, 1968. In the meanwhile, written statements were received in respect of the workman on 18th October, 1968, and in respect of the management on 24th October, 1968, from the respective parties.

4. On receipt of my notice fixing the hearing on 31st October, 1968, the workman under letter dated 14th October, 1968 requested for change of date either to 24th October, 1968 or to 15th November, 1968. On receipt of this, the hearing was adjourned to 15th November, 1968 and the parties were suitably informed.

5. On 13th November, 1968, a letter No. BNK/ARBIT(MP CWF) 10757-58 dated 9th November, 1968 was received from the Deputy Superintendent of Collieries, Banki Colliery requesting adjournment to another suitable date, preferably to 22nd November, 1968. A letter dated 8th November, 1968 was also received from the workman informing that he is coming to attend the hearing on 15th November, 1968 and that the hearing be not postponed. Under this office Endt. No. J-81(22)/68, dated 28th October, 1968, the parties

were clearly informed that no further adjournment shall be allowed and that they must attend hearing on 31st October, 1968. As per Arbitration Agreement dated 1st September, 1963 and the Award was to be given by 1st December, 1968 as there was no time to allow any adjournment. Therefore the following telegram was sent to the management on 13th November, 1968:—

"RE YOUR LET NINETH INSTANT. ADJOURNMENT NOT POSSIBLE.  
ATTEND HEARING FIFTEENTH FAILING EX PARTE AWARD".

6. When the dispute under reference was taken up for hearing none was present on behalf of the employers and therefore *ex parte* hearing was done. However, the following telegram dated 14th November, 1968 was received from the management on 15th November, 1968 at 5-30 p.m. when the proceedings had already concluded.

"RE YOUR TEL RECEIVED TODAY. UNABLE TO ATTEND. REQUEST  
POSTPONEMENT ONCE AS DONE FOR OPPOSITE PARTY—DYSOC  
BANKI"

7. In view of what has been stated above, it was not possible to allow any adjournment and therefore I am giving *ex parte* award as under:—

8. During the course of arbitration proceedings, statements of S/Shri Mahabir, the workman concerned and Shri L. K. Paswan, Vice-President of M.P. Colliery Workers Federation, Banki Branch were recorded. Shri Mahabir has deposed that he was an old employee of Banki Colliery, having joined in 1963. He was made Winding Engine Operator in 1967. Thereafter one Shri Roopchand was also sent to the Winding Engine. Shri Mahabir was promoted to his Category after 3 or 4 months of Sri Mahabir's promotion in Cat. V as Winding Engine Operator. He was retrenched *vide* retrenchment notice dated 13th December, 1967 w.e.f. 15th January, 1968. The body of the Retrenchment Notice reads as under:—

"Consequent on our project coming into production from the stage of construction, you have become surplus to our requirement. Your services are not required by us with effect from 15th January 1968."

"This letter may therefore be treated as retrenchment notice under Section 25F of the Industrial Disputes Act 1947."

"You may collect your final dues including retrenchment compensation on 16th January 1968 during office hours or later on production of clearance certificate from your work in-charge and the Labour Welfare Officer, Banki."

He further stated that prior to his retrenchment notice, list of seniority in the Category was neither given to him nor displayed on the Notice Board and further that one Shri Roopchand, Winding Engine Driver in his Category who was junior to him was retained in service without any justifiable reason. He further informed that he had not received any retrenchment compensation so far.

9. Shri L. K. Paswan deposed that he was Vice-President of M.P. Colliery Workers Federation, Banki Branch and that his union was recognised by the management. He corroborated that one Shri Roopchand, Winding Engine Operator in Cat. V, who was junior to Shri Mahabir in the Category was retained in employment while without any reason the services of Shri Mahabir his senior were retrenched.

10. He further stated that his union had not received any list of seniority of the Category nor was any list seen by him on the Notice Board before the actual retrenchment took place.

11. From the retrenchment notice served upon Shri Mahabir and from the statement of two witnesses the following facts have born out:—

- (i) No seniority list was maintained as required under Rule 77 of the Industrial Disputes (Central) Rules 1957. Such list should have been posted on the Notice-Board in a conspicuous place, at least 7 days before the actual date of retrenchment.
- (ii) One Shri Roopchand who was junior in the Category to Shri Mahabir has been retained in the services and Shri Mahabir has been retrenched without any justifiable reason.
- (iii) No retrenchment compensation was given to the workman before actual retrenchment took place. The compensation was also not offered to be payable before actually retrenching the workman. A perusal of the retrenchment notice dated 13th December, 1967 given by the management shows that

the workman was to be retrenched with effect from 15th January 1968 and final dues including the retrenchment compensation were to be paid to him on 16th January 1968 on production of clearance certificate.

12. A perusal of Section 25F clearly provides that the payment of retrenchment compensation is a condition precedent to the retrenchment of workmen. The retrenchment cannot become legal unless the condition precedent is fulfilled. As the condition precedent has not been fulfilled the retrenchment is illegal, inoperative and void, as held by the Supreme Court in the case of State of Bombay and others *Vs.* Hospital Mazdoor Sabha (1960-ILLJ-251). I therefore find that the retrenchment of Sri Mahabir, Winding Engine Operator with effect from 15th January, 1968, was not legal.

13. As the retrenchment was illegal the question of justifiability does not arise.

14. As regards relief, the workman should be deemed to be continuously in employment without any break of service since the date of his retrenchment *i.e.* from 15th January, 1968 which I have held illegal and void and therefore Award that he should be reinstated with full back wages.

(Sd.) VED PRAKASH PRATAP,

Jabalpur dated the 16th November 1968.

Assistant Labour Commissioner (Central)

Jabalpur and Arbitrator.

[(No. 8/60/68-LR.II.]

**S.O. 4444.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Sripur Colliery of Messrs Lodna Coal Company (1920) Limited, Post Office Kalipahari, District Burdwan and their workmen, which was received by the Central Government on the 23rd November, 1968.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 36 OF 1968

##### PARTIES :

Employers in relation to the Sripur Colliery of M/s. Lodna Coal Company (1920) Limited.

AND

Their workmen.

##### PRESENT:

Shri B. N. Banerjee—*Presiding Officer.*

##### APPEARANCES :

*On behalf of Employers*—Sri D. Basu Thakur, Advocate &  
Sri B. N. Chatterjee, Personnel Officer.

*On behalf of Workmen*—Sri Ranjan Das Gupta.

STATE: West Bengal.

INDUSTRY: Coal Mines.

##### AWARD

By Order No. 6/40/68-LR.II, dated July 30, 1968, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following dispute between the employers in relation to the Sripur Colliery of M/s. Lodna Coal Company (1920) Limited and their workmen, to this tribunal for adjudication, namely:

“Whether the management were justified in terminating the services of Shri Jhariram Rewari, Timber Mazdoor, Sripur Colliery with effect from the 15th January, 1968. If not, to what relief is the employee entitled?”

2. Mr. D. Basu Thakur, Advocate and Shri B. N. Chatterjee, Personnel Officer of Lodna Coal Company (1920) Limited, appeared on behalf of Sripur Colliery. One Ranjan Das Gupta, the Organising Secretary of Khan Shramik Congress appeared for the workmen. Mr. B. N. Chatterjee, Personnel Officer gave evidence and admitted that Ranjan Das Gupta

was the person who was authorised to carry on negotiation on behalf of the workmen. At the hearing to-day, a petition of settlement signed by Ranjan Das Gupta on behalf of the workman and Shri B. N. Chatterjee on behalf of the employer was filed containing the terms of settlement. It was prayed that an award may be passed in terms of the settlement. Alongwith the petition, Ranjan Das Gupta filed a letter of authority said to bear the thumb impression of the workman concerned, authorising him to attend, settle and deal with the case.

3. In the circumstances, I record the settlement and make an award in terms of settlement. Let the petition of compromise form part of this award.

Dated, November 21, 1968.

Sd./- B. N. BANERJEE,  
Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE 36 OF 1968

In the matter of an Industrial Dispute

BETWEEN

M/s. Sripur Colliery,

AND

Shri Jhariram Rewani, workman.

The humble petition of the company and Shri Jhariram Rewani most respectfully SHEWETH:

1. That the above case is settled amicably as follows:

- Shri Jhariram Rewani will be given new appointment within 15 (fifteen) days in any of the collieries under Lodna Colliery Company (1920) Limited.
- That Shri Jhariram Rewani hereby withdraws all his claim against the company including back wages as claimed.

2. That an Award may be passed in terms of the above settlement.

AND for this act of kindness Your petitioner as in duty bound shall ever pray.

Sd./- RANJAN DAS GUPTA

for Workman.

Dated, 21st November, 1968.

Sd./- BISWANATH CHATTERJEE,  
for Employer.  
[No. 6/40/68-LRIL.]

New Delhi, the 4th December 1968

S.O. 4445.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 3), Dhanbad, in the industrial dispute between the employers in relation to the New Sudamdh Colliery, Post Office Patherdih (Dhanbad) and their workmen, which was received by the Central Government on the 27th November, 1968.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 3) AT DHANBAD.

REFERENCE NO. 9 OF 1968

PRESNT:

Shri Sachidanand Sinha—Presiding Officer

PARTIES:

Employers in relation to the New Sudamdh Colliery  
Vs.

Their workmen.

APPEARANCES :

For employer—Shri S. S. Mukherjee, Advocate.

For workmen—Shri B. Lall, Advocate.

INDUSTRY : Coal.

STATE : Bihar.

Dhanbad, Dated the 15th of November, 1968

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the New Sudamdh Colliery, Post Office Patherdih (Dhanbad) and their workmen, by its order No. 2/99/68-LRII dated the 7th August, 1968 referred to this Tribunal under section 10(1) (d) of the Industrial Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The Schedule is extracted below :

SCHEDULE

“Whether the management of the New Sudamdh Colliery was justified in retrenching its workman Shri M. M. Sahay, Register Keeper with effect from the 10th April, 1968. If not, to what relief is the workman entitled?”

2. A written statement has been filed by the workman Sri Madan Mohan Sahay and his contention is that he was appointed as store-keeper of the New Sudamdh Colliery on 1st December, 1958 and was confirmed on that post on 1st December, 1962. Thereafter Shri M. M. Sahay was transferred to the post of a Register-keeper on 1st October, 1964. Thereafter he was temporarily transferred to work as a Salesman in the Co-operative Stores and in that capacity he worked for about 20 months. It appears that on request of Sri M. M. Sahay he was again transferred to work as a Register-keeper and he worked there as Register Keeper till the date of his retrenchment. On 11th March, 1968 the management issued one month's notice of retrenchment to Sri M. M. Sahay saying therein that he was found junior most amongst the Register-keepers, and therefore his service would stand terminated with effect from 10th April, 1968. According to the workman his retrenchment is against the provision of Section 25(G) of the I.D. Act, 1947 inasmuch as S/Sri (1) R. N. Upadhyay (2) S. D. Supakar (3) R. Y. Singh (4) B. L. Rathi (5) K. N. Roy (6) K. N. Jha and (7) M. Chattaraj, all happened to be junior to him. But their services have been retained by the management. The main contention of the workman is that the management while retrenching him considered his employment only from 1st October, 1964 as Register-keeper and ignored his previous services as Store-keeper and that by ignoring his aforesaid services the management violated the principles laid down in Section 25 (G) of the Industrial Disputes Act, 1947.

3. The case of the workman is that the management got annoyed with him on account of his union activities and has victimised him on that account.

4. On behalf of the management it is contended that due to steep gradient, heavy percolation of water and shrinkage of workings in No. 5 seam of the Colliery it had to be closed down for the above reasons which were beyond the control of the management. Shri M. M. Sahay had been working as a register keeper since October, 1964 when he was retrenched along with 38 other workmen of different categories by notice dated the 11th March, 1968 terminating his services with effect from 10th April, 1968. According to the management proper procedure was adopted in retrenching Shri M. M. Sahay. On account of the above closure of the workings in No. 5 seam Shri M. M. Sahay became surplus to the requirement and he being the junior most in the category of “STORE-KEEPERS” was retrenched. His retrenchment with effect from the 10th April, 1968 was for *bona fide* reasons.

5. The workman has not challenged that part of the employers' statement that certain number of workmen became surplus due to closure of No. 5 seam on account of steep gradient, heavy percolation of water and shrinkage of working faces. He has also admitted in his evidence that at the time of his retrenchment there were three register keepers and that amongst them he was the junior-most. He further confirmed that the register-keepers whose services were retained by the management were senior to him as register-keepers.

6. The contention of the workman is that there were seven hands junior to him amongst the office assistants and that they were not retrenched. This fact has also not been denied by the management that they retained the services of the said seven hands though they were junior to Shri M. M. Sahay. In this connection it is to be noted that Shri R. Y. Singh who subsequently took over the duties of Store-keeper when Shri M. M. Sahay was transferred to work in the Co-operative Stores, was initially appointed as Assistant Store-keeper with effect from 1st November 1961. Shri M. M. Sahay, even

according to the management was appointed as Store-keeper with effect from 1st April 1959. In any view Shri M. M. Sahay was no doubt senior to Shri R. Y. Singh. But the management retrenched Shri M. M. Sahay and retained the services of Shri R. Y. Singh. The action of the management support the contention of the workman that while retrenching him the management ignored the previous services rendered by Shri M. M. Sahay as Store-keeper. The workman contends that his initial appointment was as store-keeper and not as register-keeper though at the time of his retrenchment he was working as Register-keeper. He further contends that when his services as register-keeper were found to be surplus, the management should have rightly transferred him back to his original post of Store-keeper and that the question of his retrenchment could arise only if he would have refused to accept the transfer. His contention is that there is nothing like a distinct category known as "Register-keepers". The management originally appointed him as Store-keeper and then transferred him from time to time, to work in different capacities like Store-keeper, Sales-man in the Co-operative Stores and Register-keeper. In all these capacities he retained the same category. He was a clerical staff all along and that at the time of retrenchment he was working in the capacity of Register-keeper. The management never caused any change in the terms and conditions of his initial appointment as Store-keeper by effecting these transfers from one capacity to other capacities.

7. Under Section 25(G) of the Industrial Disputes Act, 1947, ordinarily industrial rule of retrenchment is "Last Come, First Go" or "First Come, Last Go". This rule has to be followed by the employers in effecting the retrenchment of a workman as it is intended to afford a very healthy safeguard against discrimination of workmen in the matter of retrenchment. This principle of industrial law which must be borne in mind in the matter of retrenchment, is to be applied category-wise. That is to say, that the employees of the category who are liable to interchange work in the office shall be grouped together and their seniority or juniority determined *inter se* for the purpose of application of this principle.

8. Shri M. M. Sahay was initially appointed as Store-keeper and thereafter was transferred to work as Register-keeper. His case is that the posts of Store-keeper, Office Assistant and Register-keeper fall within one and the same category. Post of Register-keeper does not constitute a separate distinct category. The nature of duties of the Store-keeper and those of Register-keeper are known to be clerical ones. Neither of these involves any technical skill or training. Their work is easily convertible and one can replace another without any dislocation in the department. The action of the management transferring the services of Shri M. M. Sahay from the post of Store-keeper to the post of Register-keeper without bringing in any change in the terms and conditions of his initial appointment as Store-keeper also lends full support to this view. I, therefore, hold that post of Register-keeper does not form a separate distinct category so as to attract the provision of Section 25(G) of the Industrial Disputes Act, 1947. All these posts of Store-keeper, Register-keeper and Office Assistants, being of clerical nature, must be considered falling within one and the same category for the purpose of retrenchment.

9. By Ext. M3, the management wanted to prove that the appointment of Shri M. M. Sahay as Register-keeper with effect from the 10th October, 1964 was his fresh appointment. But in this connection it may be noted that Ext. M3 happens to be only an authorisation issued by the manager of New Sudamdh Colliery in favour of Shri M. M. Sahay authorising him to act as Register-keeper as is required to be issued in accordance with the provisions of Regulation 57 of the Coal Mines Regulations 1957. This Ext. M-3 cannot be considered as fresh appointment letter. As such I hold that Shri M. M. Sahay continuously worked with the management at least from 1st April, 1959 and his subsequent transfers to work in different capacities of Salesman of Co-operative Stores or Register-keeper did not, in any way, interfere with his overall seniority over all such clerical staff who were appointed after the 1st April, 1959. On the basis of Shri M. M. Sahay's initial appointment as Store-keeper with effect from 1st April, 1959 he was decidedly senior-most amongst the seven office assistants and also Shri R. Y. Singh. The management was not justified in ignoring the above date of original appointment of Shri M. M. Sahay at the time of deciding his retrenchment.

10. It is also not the case with the management that the junior staff who were retained in service, held better qualifications than Shri M. M. Sahay.

11. On the basis of all the above facts I opine that on the date of retrenchment Shri M. M. Sahay was not the junior-most amongst the staff falling within the same category and that Shri Sahay was retrenched contrary to the provisions of Section 25(G) of the Industrial Disputes Act, 1947. His retrenchment therefore, was not *bona fide*.

12. In this view of the case I hold that the management of New Sudamdh Colliery was not justified in retrenching its workman Shri M. M. Sahay, Register-keeper with effect

from the 10th April, 1968. He is therefore, entitled to be reinstated with full back wages, emoluments and other benefits from the date of his retrenchment upto the date of his reinstatement along with continuity of service.

13. This is my award. It may be submitted to the Central Government under Section 15 of the Industrial Disputes Act, 1947.

(Sd.) SACHIDANAND SINHA,  
Presiding Officer.

Central Government Industrial Tribunal-cum-Labour Court No. 3.

[No. 2/99/68-LRII.]

**S.O. 4446.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the South Govindpur Colliery, Post Office Katrasgarh, District Dhanbad and their workmen, which was received by the Central Government on the 26th November, 1968.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD  
CAMP : JABALPUR**

**In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.**

**AND**

**In the matter of an appeal against the decision of the Regional Labour Commissioner (C), Dhanbad dated the 29th March, 1966 under para 8(4) of the Coal Mines Bonus Scheme, 1948.**

**REFERENCE NO. 18 OF 1968  
BONUS APPEAL NO. 4 OF 1966**

**PARTIES:**

**Employers in relation to the South Govindpur Colliery, P.O. Katrasgarh, Dist. Dhanbad.**

**AND**

**Their Workmen.**

**PRESENT:**

**Shri Kamla Sahai, Presiding Officer.**

**APPEARANCES:**

**For the Employers:** Shri S. S. Mukherjee, Advocate.

**For the Workmen:** Shri S. Das Gupta, Secretary, Colliery Mazdoor Sangh, Dhanbad.

**STATE:** Bihar.

**INDUSTRY:** Coal.

*Camp. Jabalpur, dated the 11th November, 1968*

**AWARD & JUDGMENT**

The Central Government, in the Ministry of Labour, Employment and Rehabilitation, has referred for adjudication to this Tribunal—*vide* its order No. 2/58/66-LRII dated the 29th April, 1966—an industrial dispute described in the schedule as follows:—

**SCHEDULE**

"Whether the stoppage of work in respect of the following 58 workmen with effect from the 6th October, 1965 by the management of the South Govindpur Colliery was justified? If not, to what relief are these workmen entitled?"

1. Shri Sukhari Dhobi, Stone Cutter.
2. Shri Harilal Ojha, Overman.
3. Sri Dular Rajbhar, Stone Cutter.
4. Sri Haripada Mondal, Overman.
5. Sri Bikhal Singh, Stone Cutter.
6. Sri Bhikhan Rewani, M/Sirdar.
7. Sri Panchu Gope, Stone Cutter.
8. Sri Joti Singh, M/Sirdar.

9. Sri Bisnath Rewani, Stone Cutter.
10. Sri Bindbehari Mistry, M/Sirdar.
11. Sri Bineswari Tewari, Stone Cutter.
12. Sri Sarju Pd, Lal, Attendance Clerk.
13. Sri Bijay Singh, Miner.
14. Sri Nageswar Pathak, Attendance Clerk.
15. Sri Bhim Singh, Miner.
16. Sri Narayan Mukherjee, P. Khalasi.
17. Sri Bhairo Kole, Miner.
18. Sri Bhawani Mitra, P. Khalasi.
19. Sri Pokhar Kole, Miner.
20. Sri Lachman Singh, F. Khalasi.
21. Sri Jehal Kole Miner.
22. Sri Doman Sao, P. Khalasi.
23. Sri Latu Kole, Miner.
24. Sri Basanta Ram, Fireman.
25. Sri Baldeo Ram, Miner.
26. Sri Bhakwat Mitra, Fireman.
27. Sri Amrit Ram, Miner.
28. Sri Nunuram Kamar, Line Mistry.
29. Sri Bhuneswar Ram, Miner.
30. Sri Ganpat Bhuia, Collie.
31. Sri Jiban Ram, Miner.
32. Sri Dudhnath Pandey, Collie.
33. Sri Mithu Ram, Miner.
34. Sri Seonarayan Rai, Gen. Mazdoor.
35. Sri Puran Ram, Miner.
36. Sri Shyamdeo Mahato, Prop. Mistry.
37. Sri Sikari Manjhi, Miner.
38. Sri Jatadhari Tewari.
39. Sri Mangal Das, Miner.
40. Sri Bhusan Singh, Collie.
41. Sri Jagdish Das, Miner.
42. Sri Anirudh Dubey, Trammer.
43. Sri Mohan Das, Miner.
44. Sri Ramprit Singh, Trammer.
45. Sri Raghu Das, Miner.
46. Sri Bineswari Ram, Trammer.
47. Sri Pairo Kole, Miner.
48. Sri Sidheswar Singh, Trammer.
49. Sri Hulas, Miner.
50. Sri Ranglal Rout, Trammer.
51. Sri Marger Kole, Miner.
52. Sri Janak Ram, Trammer.
53. Sri Sanichar Kole, Miner.
54. Sri Sibpujan Singh, Trammer.
55. Sri Sukar Kole, Miner.
56. Sri Pati Kole, Miner.
57. Sri Puran Kole, Miner.
58. Sri Bhagirth Kole, Miner.

2. I may mention that the employers have given employment to 3 of the above-named persons namely Shri Harilal Ojha (Sl. No. 2), Shri Haripada Mondal (Sl. No. 4) and Shri Bindbehari Mistry (Sl. No. 10). The union has, therefore, not pressed their cases. This award will govern only the remaining 55 workmen.

3. I may also mention that Shri S. Das Gupta, Secretary of the Colliery Mazdoor Sangh (INTUC) filed an application on the 7th October, 1965 under sub-paragraph (1) of paragraph 8 of the Coal Mines Bonus Scheme, 1948 before the Regional Labour Commissioner (C), Dhanbad, praying that the stoppage of work of the aforesaid 58 workmen may be held and declared to be an illegal lock-out. By his order dated the 29th March, 1966, the Regional Labour Commissioner has held that, since the management did not comply with the provisions of sections 22, 23 and 24 of the Industrial Disputes Act, the denial of work to the workmen from the 6th October, 1965 amounted to an illegal lock-out. The management has preferred an appeal against this order and it has been registered as Bonus Appeal No. 4 of 1966. The aforesaid reference was, as I have already said, originally made to this Tribunal and it was then numbered as reference No. 84 of 1966. It was then transferred to Tribunal No. 2 at Dhanbad where it was numbered as reference No. 141 of 1967. By an order dated the 29th November, 1967, which I passed in the Bonus Appeal which was pending before me, I held that the ends of justice required that the Bonus Appeal and the reference should both be heard by one Tribunal for, otherwise,

there was likelihood of conflict of decisions. I further said that the union might move the Ministry for disposal of both matters by one and the same Tribunal. The Ministry then passed order No. 2/58/66-LRJI dated the 3rd February, 1968 whereby it transferred the reference also back to this Tribunal. It has now been registered as reference No. 18 of 1968. Both reference No. 18 of 1968 and Bonus Appeal No. 4 of 1966 have been taken up together and this award and judgment will govern them both.

4. There is a colliery known as South Govindpur Colliery. The Proprietors of this colliery are Shri H. I. Pathak and his sons and the Manager at the relevant time was Shri V. H. Thacker. 14 seam incline was being worked in this colliery. The management's case is that 14 seam incline was a separate industrial establishment just as other mines in the colliery were also separate establishments. The case of the Colliery Mazdoor Sangh on the other hand is that 14 seam was part of the one industrial establishment which the South Govindpur Colliery constituted.

5. It appears that the 2nd October, 1965 was a holiday; the 3rd October was a Sunday and the 4th and 5th October were also holidays. The work in 14 seam incline was admittedly stopped with effect from the 6th October, 1965 when all the 58 workmen named in the reference were working in that incline. The result was that all those men were thrown out of employment. Two of them namely Sl. No. 12 Shri Sarjoo Prasad Lalla (W.W.1) and Sl. No. 6 Shri Bhikhan Rewani (W.W.2) continued to work respectively under the management of the South Govindpur Colliery until about the 15th or 16th October, 1965 and three of them namely Harilal Ojha (Sl. No. 2), Shri Haripada Mondal (Sl. No. 4), and Shri Binodbehari Mistry were subsequently taken back into service. The first two have remained out of employment from South Govindpur Colliery with effect from the 15th or 16th October and the remaining 53 workmen in accordance with the list in the schedule have remained out of employment from that colliery ever since the 6th October, 1965.

6. The case of the Colliery Mazdoor Sangh in its written statement may be summarised as follows. That 14 seam incline was opened in 1962 and it continued working until October, 1965, that 58 workmen were working in that incline at the time of its closure, that no notice what-so-ever about the closure was previously given to the workers but they were told orally on the 6th October itself that working in that incline had been stopped, that Sl. Nos. 2, 4 and 10 have been retained in service, that Sl. No. 12 was temporarily transferred to the office and worked there until the 15th or 16th October; that many junior workmen were working in other mines of the same industrial establishment but they were not retrenched, that a new election of the union took place in September, that the union served the management with a list of names of the new office-bearers and later with a list of the workmen's grievances, that the management decided to victimise the office bearers of the union by retrenching all the workmen who were employed in 14 seam incline as they included 10 of the new office bearers and that this was illegally done.

7. The management has stated in its written statement that dykes and jhamas had appeared in 14 seam incline, that it had become unworkable and the working had become unprofitable, that 14 seam incline was a separate and independent industrial establishment unconnected with other mines in the colliery, that the management, therefore, decided to stop the working in the 14 seam incline and accordingly put up a notice on the colliery notice board on the 3rd October, 1965 to the effect that the incline had to be closed down and the workmen working there could collect their dues within a week, that the Colliery Mazdoor Sangh had adopted two conflicting attitudes one by asking the Regional Labour Commissioner to declare the case as one of an illegal lockout and the other by putting up a case of arbitrary discharge and victimisation of the workmen by the management, that the management had filed an appeal against the decision of the Regional Labour Commissioner (C) to the effect that there was an illegal lockout by the management, that the management sent a letter dated the 7th October to the Regional Labour Commissioner, enclosing therewith the notice dated the 3rd October, 1965 which had been put on the notice board, that none of the workmen included in the list given in the reference with the exception of a few safety men have completed one year of service and that none of them was therefore entitled to relief under section 25F or 25FFF of the Industrial Disputes Act.

8. At the hearing, the management has examined two witnesses. One of them is Mr. S. P. Chakraborty, one of the Deputy Directors of Mines. He inspected 14 seam incline on 1st March, 1966 and has stated what he found. The other witness is Mr. V. H. Thacker, the Manager of South Govindpur Colliery. He is a first class Mining Manager. On the other hand, the union has examined Sarju Prasad Lalla as W.W.1, Chhota Bhikhan Rewani as W.W.2 and Shri S. Das Gupta as W.W.3. The parties have also filed a number of documents which have been marked as exhibits.

## REFERENCE NO. 18 OF 1968

9. I propose to take up the reference first. There are several questions which arise for consideration before a right answer can be furnished to question No. 1 of the schedule. I formulate those questions as follows:—

- (i) Was the working in 14 seam incline closed on account of the management coming to a *bona fide* conclusion that further working in that incline would be unprofitable?
- (ii) Was 14 seam incline a separate and independent industrial establishment?
- (iii) Did Sarju Prasad Lalla, W.W.1 prepare lists (Exts. W3 and W4) from the form 'B' register as stated by him?
- (iv) Was notice of cessation of working of 14 seam incline given to the workmen on the 3rd October, 1965 by a written notice being put up on the notice board?
- (v) Was the stoppage of work in respect of the 55 workmen in question with effect from the 6th October, 1965 and later by the management of the South Govindpur Colliery justified in all the circumstances of the case?

Question No. (i) & (iv).

10. I take up these questions together for the sake of convenience. Shri V. H. Thacker, M.W.2 has stated that he issued a notice (Ext. M5) on 3rd October, 1965, that 14 seam incline was closed in pursuance of this notice and that it is still closed. The notice (Ext. M5) dated 3rd October, 1965 reads as follows:—

"As we have met dykes & jhama in most of the faces of 14 seam underground and their being no prospects of any further improvement the management has decided to close down 14 seam with effect from 4th October, 1965. All the staff and workers of this section are hereby given one week's notice with effect from 4th October, 1965. All are requested to call at the office for their payment".

11. In the first place, there seems to be no good reason why I should disbelieve Shri Thacker. In the second place Ext. M8 dated the 7th October, 1965 is a letter written by Shri Thacker to the Regional Labour Commissioner wherewith a copy of the notice (Ext. M5) was forwarded. As I have already said, the colliery was closed on the 4th and 5th. As a copy of the notice (Ext. M5) was sent to the Regional Labour Commissioner so quickly after the colliery opened, I think that this furnishes sufficient support to the fact that the notice was put up on the notice board as alleged by Shri Thacker.

12. Shri Thacker has said that he has given the reason of closure of 14 seam mine as follows:—

- "(1) we met dykes and jhamas in almost all the faces of the mine;
- (2) for the above reason the mine was found not to be workable".

He has also added that the workmen in question were all employed in 14 seam mine and that their services were terminated after the closure of that mine. On being cross-examined, he has stated that the management started finding dykes and jhamas from the 3rd and 4th level on the west side, that it got clean coal upto the 9th level on the east side and that it was in May or June, 1965 that it encountered dykes and jhama on that side, that the work went on upto the 12th dip in the 7th level on the western side and upto 40 ft., beyond the 1st dip in the 9th, 10th and 11th west level, that the management started getting dykes and jhamas from the 3rd level when clean coal was about 5 ft. thick, that the thickness of clean coal came down to 2 ft. or so from the 10th level and it came down to about a foot between the 12th and 13th dip. These things persuaded the management, according to the manager, that they were just wasting their money.

13. Shri Thacker's evidence receives support from that of Shri S. P. Chakravarty, a Deputy Director of Mines, posted in Dhanbad Region. He has also given the opinion that the mine was unworkable. He has given an official report (Ext. M1) in this connection and this was routed to the Director General of Mines Safety. It has been pointed out that he inspected the mine about five months after it closed down. That may be so but he could certainly see for himself that the different faces of the incline had jhama and dykes so that sufficient quantity of coal could not be extracted from it. He is a Government servant and is completely independent. I do not see why I should not accept his evidence.

14. The evidence of Chhota Bhikhan Rewani (W.W.2) is also interesting. All that he has been able to say is that "work in 14 seam at the faces where stone and jhama were not found could have been carried on in the manner in which it had been carried on for about four or five months". When a workman himself gives the estimate that work

could have lasted for four or five months only, it seems to me that the opinion of the Manager that the work was unprofitable in that incline must be considered to be reasonable and acceptable. W.W.2 has just added that work could have lasted in the mine for about five or six years if depillaring had been done but Shri Thacker (M.W.2) says that it was not possible to have depillaring in 14 seam incline.

15. In any case, it is difficult to accept the union's argument that a mine like 14 seam incline—if it was valuable as suggested by the union—was closed up by the management merely for the purposes of victimising some union office-bearers. Admittedly the incline is still closed and no work is going on in it. I, therefore, held that the management certainly came to a *bonafide* conclusion that further working in 14 seam incline would be unprofitable. It seems also clear that written notice (Ext. M5) was put up on the Notice Board on the 3rd October, 1965.

*Question No. (ii) & (iii).*

16. These two questions have been taken up together because they are allied to each other. Shri Thacker has stated that he used to maintain 14 seam as a separate and independent industrial establishment. He has further said that 14 seam incline was not interconnected with any other mine of South Govindpur Colliery nor was it practicable to connect it with any other mine, that the payments, raisings, despatch and attendance of 14 seam were kept separate from those of other mines of the colliery and that he received authorisation from the department of mines to manage more than one mine. In support of this statement, he has produced a certificate (Ext. M4) dated the 29th January, 1968, authorising him under Regulation 31(4) of the Coal Mines Regulations 1957 to act at one and the same time as Manager of all the Mines at South Govindpur Colliery owned by Shri H. J. Pathak, Ext. M2 is a memorandum addressed to Shri H. J. Pathak, forwarding authorisation No. 19/64 in favour of Shri V. H. Thacker for the management of South Govindpur Colliery. It is stated in this memorandum that if a renewal of the authorisation is desired, an application for renewal may be submitted. A letter dated the 31st December, 1965 forwards authorisation No. 19/64 granted in favour of Shri V. H. Thacker to manage all mines at South Govindpur Colliery for renewal for the year 1966. It seems, therefore, that authorisation No. 19/64 was an authorisation for management of all mines in South Govindpur Colliery in 1965. Thus, it seems that Shri Thacker had the authority to manage all mines under South Govindpur Colliery and he can maintain that 14 seam incline was being managed as a separate and independent industrial establishment under this authorisation.

17. As against the above evidence, Sarju Prasad Lalla (W.W.1) has stated that, under the orders of the management, he used to take attendance of workmen on plain paper, that when taking them over to the attendance register, he had to make sure that a worker who was marked present on one day was not marked present on the next day or if he was marked present in one week, he was not marked present in the next week. On being cross-examined in this respect, he has stated that he knew his duties as an Attendance Clerk under the Coal Mines Regulations, that he knew that a man who did not do his duty under the Regulations was liable to be punished and that he never complained in writing to any officer that the management instructed him to omit marking the presence of workmen from time to time. He has further admitted that he did not make such a complaint to any of the officers.

18. He has proved two lists (Exts. W3 and W4) as those which he prepared. Ext. W3 is a list of all the 58 workmen in question with their designations and dates of appointment. W4 is a list of 120 persons with their designations.

19. His story as to the preparation of these lists has been elicited in cross-examination as follows. He says that he prepared the list (Ext. W3) about 15 days before the 6th October, 1965, that form 'B' register was prepared in 1964, that 'B' register was again prepared in 1965, that he copied the names in serial numbers from the 'B' register of 1965 before it was sent to the head office, that it is the duty of the attendance clerk to send such, that he prepared the list accordingly which was transcribed in form 'B' register of 1965 and thereafter the 'B' form register was sent to the Head Office. He then stated that no form 'B' register was prepared in 1965, that it was prepared in 1964 and that 'B' form register was prepared only when order was given to that effect. He has then stated that it was in September, 1965 that order was given to him to prepare a list containing the names of those whose names were found in the 'B' form register of 1964, that no such list was prepared before that month and there was no 'B' form register at all for 1965; that he prepared the list (Ext. W3) after getting the order in 1965, that he could not make necessary entries by transcribing the names on this list to 'B' register of 1965, that he kept this list in the attendance cabin and did not send it to the Head Office, that he does not know if 'B' register of 1965 was ever prepared in the Head Office, that he prepared the list (Ext. W4) also in September, 1965, that this list contains the names of workers of seams other than 14 seam also, that he prepared this list from 'B' register

which came to him from the Head Office, that 'B' register contains the dates of appointment also, that he copied the dates of appointment in Ext. W4 but, on looking into Ext. W4, he says that he did not put the date of appointment in Ext. W4.

20. It will be seen from the above statement that he is not quite sure when he prepared the lists and how he prepared them. His statement makes it obvious that he has made statements regarding preparation of the lists (Ext. W3 and W4) at random from his imagination. I am not prepared to rely upon his evidence.

21. Shri Das Gupta, Secretary of the Colliery Mazdoor Sangh, has been examined as W.W.3. He says that he made many complaints against the management of the colliery but did not know the result. He has proved the reply of the Regional Labour Commissioner (C) (Ext. W8) in which he has forwarded a list of cases in which the management was convicted and sentenced. There is nothing to show what the cases related to and why the management was convicted in those cases. Hence I am unable to attach any importance to this list. In the course of working a series of mines in a colliery, the management may become guilty of several petty offences. That cannot lead to an inference that the management is unfair or is habitually guilty of unfair labour practice in all cases.

22. In the circumstances mentioned above, I have come to the conclusion that 14 seam incline was managed as a separate and independent industrial establishment.

**Question No. (v)**

23. Section 25G of the Industrial Disputes Act, 1947 provides as follows:—

"Where any workman in an industrial establishment, who is a citizen of India, is to be retrenched and he belongs to a particular category of workmen in that establishment, in the absence of any agreement between the employer and the workman in this behalf, the employer shall ordinarily retrench the workman who was the last person to be employed in that category, unless for reasons to be recorded the employer retrenches any other workman".

24. As I have already held that 14 seam incline was an independent industrial establishment and as all the workmen working in that incline have been stopped from work, the question of seniority or juniority of employment does not arise. I may, however, state that the evidence relating to the unions' allegation that some junior workers have been left working in other seams while senior workers of 14 seams have been retrenched is rather unsatisfactory. Chhota Bhikhan Rewani (W.W.2) has stated that, when his work was stopped, mining sirdars junior to him were working in the colliery. He has named Chhakhan Sirdar, Rawnik Worah and Jagdish Singh as some of those sirdars. On being cross-examined, however, he has said that he himself was put in class II in March, 1965 and that he cannot say if Chhakhan and Rawnik Worah were mining sirdars of class II in the year 1960 or 1961. That being so, it is clear that he cannot assert that those two persons were junior to him. None of the witnesses for the union has given the name of any workmen saying that so and so was junior to so and so out of the 58 workmen in question. Even if, therefore, it is assumed for the sake of argument that 14 seam mine and other mines form part of one and the same industrial establishment, it will be impossible for me to say which of the 55 workmen in question has been rendered without work even though he is senior to some other workmen of some other seam.

25. After taking all the facts and circumstances under consideration, I have come to the conclusion that the stoppage of the 55 workmen in question by the management of the South Govindpur Colliery is justified. The second question put in the schedule does not, therefore, arise for consideration.

26. This is my award. Let it be submitted to the Central Government under section 15 of the Industrial Disputes Act.

**BONUS APPEAL NO. 4 OF 1966**

27. It is clear from what I have held above that the stoppage was due to unforeseen circumstances namely that dyke and jhamas were so found in 14 seam incline that further work in it became unprofitable. The management, therefore, rightly took the decision that the mine had to be shut down. In that view of the matter, it is not possible for me to agree with the Regional Labour Commissioner that this was a case of an illegal lock-out. I, therefore, allow the appeal and set aside his order.

(Sd.) KAMLA SAHAI,  
Presiding Officer  
[No. 2/58/66-LRH.]

New Delhi, the 6th December 1968

S.O. 4447.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the Lakurka Colliery of Messrs Lakurka Coal Company Limited, Post Office Katrasgarh, District Dhanbad and their workmen, which was received by the Central Government on the 2nd December, 1968.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT NO. 1, DHANBAD.

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE NO. 9 OF 1968

PARTIES :

Employers in relation to the Lakurka Colliery of Messrs Lakurka Coal Company Limited, Post Office : Katrasgarh, District Dhanbad.

*Versus*

Their workmen.

PRESENT :

Shri Kamla Sahai—*Presiding Officer.*

APPEARANCES :

For the Employers—Shri B. Joshi, Advocate.

For the Workman—Shri Ram Mitra, Secretary, Bihar Koyal Mazdoor Sabha.

STATE : Bihar.

INDUSTRY : Coal.

Jabalpur, dated the 14th November, 1968.

AWARD

By its order No. 2/164/67-LRII dated the 29th January, 1968, the Central Government in the Ministry of Labour, Employment and Rehabilitation, has made this reference to this Tribunal for adjudication of an industrial dispute described in the schedule as follows :—

SCHEDULE

"Whether the action of the management of Lakurka Colliery of Messrs Lakurka Coal Company Limited, Post Office Katrasgarh, District Dhanbad in dismissing Shri Srinivas Singh, Mining Sirdar, from service with effect from the 23rd May, 1967 was justified? If not, to what relief is the workman entitled?"

2. The allegation against the concerned workman, Sri Srinivas Singh, is that, by order of the Manager, Sri Ranjit Chowdhury (M.W.I), some employees who were working in one section including Srinivas Singh were laid off on the 14th November, 1966 because of a break down due to the bursting of a boiler. This was communicated to Srinivas Singh at about 8.00 or 9.00 a.m. on same date. At about 9.30 a.m., Sri Ranjit Chowdhury, (M.W.I) was holding a discussion with the loading inspector from the Coal Superintendent's office when Srinivas Singh burst into the office and started shouting why he had been laid off. The Manager quietly told him to come later as he was busy but he did not listen. Srinivas Singh kept on saying that he (the Manager) would have to listen to him immediately or otherwise he would assault the Manager badly (Marke Kharab kar denge). Still the Manager told him that he should come later but Srinivas Singh continued to utter bad words and thereafter he left the office.

3. Chargesheet (Ext. M1) was issued to Srinivas Singh on the same date. It was alleged in the chargesheet that Srinivas Singh entered the office of the Manager while he was talking with an officer from outside, that he shouted why he had been laid off, that he flared up on being told to come later and started abusing and threatening the Manager, causing him hindrance in his work.

4. Srinivas Singh gave a reply (Ext. M2) dated the 18th November, 1966. The letter head on which this reply was written was that of the Indian National Mines Overman, Sirdar & Shofirers' Association, P.O. Katrasgarh". It was mentioned in this reply that everything alleged in the chargesheet was false, that the attendance clerk came to him

at about 10.00 a.m. and said that the Manager had ordered him to be laid off, that although the Manager was an officer, he had made a false allegation, that he had asked the Manager why he had not given the order for lay off in writing whereupon the Manager had replied that he would not give it in writing and that Srinivas Singh could go wherever he liked, that thereupon Srinivas Singh said that junior staff could not keep working while senior men like him were laid off, that he then told the Manager that, if he had no work, he should make full and final payment to him but the Manager said that he would not make any payment to him and that there was some further exchange of words between the two before he left the office. It is significant that this reply clearly shows that there was a discussion between Srinivas Singh and the Manager and it appears to have been a heated discussion. The allegation that Srinivas Singh was shouting is, therefore, very probable. It is also significant that Srinivas Singh has not denied in his reply that an official from outside was sitting in the office at the time when he went there.

5. Sri R. D. Kansal (M.W.2) was working in New Simidih Colliery in 1966 and, from February, 1967, he is the Manager of North Keshalpur Colliery. His company is different from the Lakurka Colliery Co., where the occurrence took place. At the request of the Director of Lakurka Colliery, Sri Kansal held the domestic enquiry. He examined several witnesses name by Uchit Singh, Peon (P.W.1), Shri B. K. Chakravarty, Surveyor (P.W.2), Sri Ranjit Chowdhury (P.W.3) the Manager himself, and Shri M. S. Mitra, Despatch Clerk (P.W.4). The record shows that all the witnesses were cross-examined by Srinivas Singh. At the bottom of each page, however, it is written that Srinivas Singh refused to sign. After the examination of all the witnesses, the statement of Srinivas Singh himself was recorded. He was put certain question by the enquiring officer himself. At the bottom of two pages of cross-examination, Srinivas Singh has put his signature and date. At the bottom of each of the other pages containing the record of him statement, it is noted that Srinivas Singh refused to sign. Ext. M12 is the report of the enquiring officer. The conclusion reached by him is that the charge against Srinivas Singh, Mining Sirdar of Lakurka Colliery, has been fully established.

6. Ext. M8 is a letter issued by the Director of the company addressed to Shri Srinivas Singh dated the 23rd May, 1967 whereby he has dismissed the latter with immediate effect.

7. In the written statement filed by the employers, they have given their allegations as I have already mentioned above. They have added that, by their letter dated the 31st May, 1967 they asked the workman concerned to collect his dues and hand over the company's material entrusted to him and vacate the quarters because he had been already dismissed with effect from the 23rd May, 1967. They have further mentioned that the workman sent a letter dated the 30th May, 1967 to the Director of the employer company raising a fresh point to the effect that he had been dismissed on account of his trade union activities and charging the management for the first time with unfair labour practice, that the management duly replied to the workman by its letter dated the 8th June, 1967 intimating to him that the decision of dismissal could not be altered. The company sent a sum of Rs. 487.82 paise by Money Order to Srinivas Singh but it was returned with the endorsement 'refused'. In his written statement, the workman stated that he was elected Branch Secretary of the Bihar Koyla Mazdoor Sabha, Lakurka Colliery Branch, in the year 1966, that he annoyed the management because he pressed the grievances of the workers, that it was due to this reason that he was laid off on the 14th November, 1967, that he found that junior men had been engaged to work in his place, that he therefore went to the office of the colliery Manager on the 14th November, 1966 and met the Manager at about 10-30 a.m. and that, when Srinivas Singh pointed out to the Manager that he had been verbally laid off from 14th November, 1966, the Manager became furious and, after abusing and threatening him, turned him out of his office, that with a view to cover his mis-deeds the Manager issued the chargesheet against Srinivas Singh, that the enquiry which was held was not fair or impartial, that the finding given by the enquiring officer was perverse and that the dismissal of Srinivas Singh was unjustified.

8. It will be seen that the management's stand has remained the same throughout but the stand taken by the workman has developed a great deal from time to time. He has examined himself as W.W.1. In his evidence before the Tribunal, he has stated that the attendance clerk told him that the Manager wanted to see him in his office. This was never his case. In his previous statement, he merely stated that he went to the Manager's office and he had such and such a talk with him.

9. He says that he asked the Manager what he wanted him for and the Manager told him that he must give up working for the union or, otherwise, he would not live in peace. As against this, he submitted his reply itself on the 18th November, 1966 on a paper bearing the letter head of the Indian National Mines Overman Sirdar and Shoprider Association. Had he been elected Secretary of the Bihar Koyala Mazdoor Sabha, he would surely have used stationery of his own union. He has given a rather lame excuse

to explain this discrepancy. He has said that he gave his reply in the form of National Miners Oyerman, Sirdar and Shot-tirers' Association because the form was lying with him and he had no blank paper. He has said that the Branch of Bihar Koyla Mazdoor Sabha was established in Lakurka Colliery in March, 1966, and that he made several complaints in his capacity as Secretary of the Branch Union. He has not filed copies or otherwise of any such complaint. It is difficult to believe that, leaving the stationery of his own union, he has used the stationery of a different union which was just lying with him. It may be remembered in this connection that he is a Mining Sirdar and he could well be a member of the Association whose stationery he used. These circumstances put a serious doubt upon the veracity of his claim that he is a Secretary of Bihar Koyla Mazdoor Sabha.

10. In his evidence before the Tribunal, he has come out with a fantastic story which he never mentioned earlier. He has said that, on the 1st date of the enquiry when he went to the place, the Manager and Personnel Officer both were there, that the Manager wanted the Personnel Officer to record evidence according to his dictation, that the Personnel Officer refused to do so because he wished to record evidence correctly, that there was an exchange of words between the Manager and the Personnel Officer and that both of them went away. I do not suppose that a Personnel Officer or, for the matter of that, a Manager could have behaved in this manner in the presence of the alleged delinquent himself. Had it been so, Srinivas Singh could not have taken it lying down. He would have made serious complaint about it to the Manager and to higher authorities of the company like the Director.

11. He has also said in his evidence that on another day, an enquiry was held by a man who was related to the Manager, hinting that Sri Kansal is related to the Manager. On being cross-examined on this point, he has said that he merely heard from a mal that the two were related. It seems to me that he has said this without the slightest regard for truth, saying anything which came into his head and which he thought would help his case.

12. There seems to me to be no good reason to disbelieve Sri Kansal. He is a perfectly independent man. He has made a record of the evidence which, although it does not bear the signature of Srinivas Singh on all pages, it bears his signature on two pages under his own statement. It has been suggested to Sri Kansal that he held the enquiry incorrectly and prepared a wrong report but he has denied it. He has also stated that it is entirely wrong to say that he did not record the evidence of any witness in the presence of Srinivas nor is it a fact that he manufactured the entire evidence in his absence. I am clearly of the opinion that all the suggestions are untrue. There is no reason why Sri Kansal should have acted dishonestly for nothing. The two signatures of Srinivas Singh under his own statement also lead to the conclusion. I am not prepared to accept any part of the evidence of Sri Srinivas Singh.

13. Having considered all the facts and circumstances, I have no doubt that Sri Kansal held the enquiry honestly and legally and that there was no infringement of any rule of natural justice in the enquiry held by him. His conclusion also seems to be correct—fair and well reasoned. It seems that the colliery has no certified standing order of its own. It, therefore, applies the model standing orders of its employees. According to those orders, the act of willful insubordination is a misconduct as defined in clause 17(c) and the act of threatening and abusing a superior officer is misconduct within the meaning of clause 17(r) of those orders.

14. The alleged delinquent has made himself liable under the clauses mentioned above of the model standing orders and I hold that his dismissal by the company with effect from the 23rd May, 1967 is justified. The 2nd question put in the schedule does not arise for consideration.

15. This is my award. Let it be submitted to the Central Government under section 15 of the Industrial Disputes Act.

(Sd.) KAMLA SAIYAL, Presiding Officer,  
[No. 2/164/67-L.R.II.]

S.O. 4448.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the Jealgora Colliery of Messrs. East Indian Coal Company Limited, Post Office Jealgora, District Dhanbad and their workmen, which was received by the Central Government on the 26th November, 1968.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

REFERENCE NO. 12 OF 1968

PARTIES :

Employers in relation to the Jealgora Colliery of M/s. East Indian Coal Company Ltd., P.O. Jealgora, (Dhanbad)

AND

Their Workmen.

PRESENT:

Shri Kamla Sahai—*Presiding Officer.*

APPEARANCES :

For the Employers—Shri S. S. Mukherjee, Advocate.

For the Workmen—Shri B. N. Chatterjee, Advocate.

STATE: Bihar.

INDUSTRY: Coal.

Jabalpur, dated the 12th November, 1968

AWARD

The Central Government, in the Ministry of Labour, Employment and Rehabilitation, has made this reference to this Tribunal—*vide* its order No. 2/15/68-LRII, dated the 20th February, 1968—for adjudication of an industrial dispute described in the schedule as follows:—

SCHEDULE

“Whether the action of the management of Jealgora Colliery of Messrs. East Indian Coal Company Limited in dismissing their workman Shri Karan Bahadur, Night Watchman, from service with effect from the 26th July, 1967 was justified. If not, to what relief is the workman entitled?”

2. The facts of the case may be shortly stated. One Mr. Young is the Chief Engineer of the Jealgora Colliery of M/s. East Indian Coal Co. Ltd., He occupies Bunglow No. 3. The plan of the entire compound is Ext. M 5. The main building of the bunglow is shown a little to the north of the middle of the compound. To the north west of the main building, there is a garage. Just to the north and north-east of the garage are four out houses. The western most of the four out-houses is an out house marked with red-pencil. It is admitted that the concerned workman, Karan Bahadur, was on duty as Night Guard in the premises of the Bunglow on the night of the 30th June, 1967 from 9 P.M. to 5 A.M. next morning. It is alleged that the lock of the room marked with red pencil in the plan (Ext. M 5) was broken open that night and a pedestal fan, a pan and some clothes were stolen from there. It is further alleged that this could not have happened unless Karan Bahadur was negligent in his duty.

3. Chargesheet No. JO/268/67 dated the 1st July, 1967 was served upon the concerned workman. It was stated therein that, on the 30th June, 1967, while he was on duty at the Chief Engineer's Bunglow during night hours, one pedestal fan, clothes and pan were stolen due to his carelessness. Karan Badadur submitted a reply dated the 3rd July, 1967. He stated in that reply that the charge issued against him was false and baseless, that nothing was stolen from the Bunglow in question and that the theft had taken place in a quarter which he was not supposed to be responsible for.

4. Shri S. P. Grover, a Labour Officer in the East Indian Coal Co., Ltd., held the domestic enquiry. He took down the statement of witnesses in ten pages (marked Ext. M 2 collectively on waiver of formal proof). He read over the statements to Karan Bahadur and explained the same in Hindi. Karan Bahadur then put his signature under his statement. Being asked to cross-examine the witnesses, he declined to cross-examine them. The witnesses were 1. Shri W. Young, Chief Engineer, 2. Shri S. K. Sirkar and 3. Shri Wajit Hussain, gardener. All these three witnesses supported the fact that theft was committed from the room of the out-house which I have already indicated. At the end, Shri Bahadur also gave his evidence. He admitted that the theft took place in a room which was in the bunglow premises but said that thinking that servants were living that side with families he did not go to look after that side. He has further admitted that nobody instructed him not to go that side.

5. Two witnesses have been examined by the management before this Tribunal. One is Shri S. P. Grover (M. W. 1) who has proved that he held the enquiry. The second witness, Shri J. P. Srivastava, has proved the plan (Ext. M 5) as having been drawn by Shri D. K. Dey, the Head Surveyor. Karan Bahadur has examined himself as W. W. 1. He has made one grievance against the enquiry officer and that is that the enquiry officer recorded his statement before recording the evidence of witnesses. On being cross-examined, he has stated that he never made such a statement before-hand in the presence of any officer of Labour Department or any officer of the company. This belated statement cannot, therefore, be accepted.

6. I am satisfied that Shri Grover (M. W. 1) held a proper enquiry in accordance with law. He examined the witnesses and gave an opportunity to the alleged delinquent after examining each witness to cross examine him. He also gave an opportunity to the alleged delinquent to put up his defence. There is no reason to suppose that there was any infringement of the rules of natural justice.

7. The only point which Mr. Chatterjee, appearing on behalf of the union, has argued is that the theft took place in an out house and not in the bungalow itself as alleged in the chargesheet. On this basis, he has argued that the charge has not been established. In my opinion, the out house must be treated to be a part of the bungalow because it has no independent existence. Admittedly, the out house is inside the compound wall which runs on all four sides of the compound. The room in question must, therefore, be held to be a part of the bungalow.

8. As there is no reason to suppose that the enquiry was vitiated or that the finding that the charge has been established against Karan Bahadur is perverse, I cannot act as a Court of appeal over the enquiring officer and scrutinise the evidence like an appellate court. Reference may be made in this connection to the decision of the Supreme Court in Dunlop Rubber Company (India) Ltd., *Vrs.* their workmen reported in 1965 (I) L.L.I. 426.

9. As the dismissal of Karan Bahadur is based upon the finding of the enquiry officer, I cannot find any good reason to interfere. I held, therefore, that the dismissal of Karan Bahadur is justified. The second question does not arise for consideration.

10. This is my award. Let it be submitted to the Central Government under section 15 of the Industrial Disputes Act.

(Sd.) KAMLA SAHAL  
Presiding Officer.

[No. 2/15/68-LRII.]

**S.O. 4449.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 1), Dhanbad, in the industrial dispute between the employers in relation to the Selected Jharia Colliery of Messrs East Bhuggatdih Colliery Company (Private) Limited, Post Office Jharia (District Dhanbad) and their workmen, which was received by the Central Government on the 27th November, 1968.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, DHANBAD**

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947  
REFERENCE NO. 19 OF 1968

**PARTIES:**

Employers in relation to the Selected Jharia Colliery of M/s. East Bhuggatdih Colliery Co. (P) Ltd., P.O. Jharia, Dist. Dhanbad.

AND

Their Workmen.

**PRESENT:**

Shri Kamla Sahai—*Presiding Officer.*

**APPEARANCES:**

*For the Employers*—Shri K. V. Ayyar, Dy. Labour Adviser.

*For the Workman*—Shri Shankar Bose, Secretary, Colliery Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Dhanbad, dated the 5th November 1968

## AWARD

Under order No. 1/52/67-LRII dated the 25th March, 1968, the Central Government, in the Ministry of Labour, Employment and Rehabilitation, has made this reference to this Tribunal for adjudication of an industrial dispute which has been described in the schedule as follows:—

## SCHEDULE

“Whether the 21st October, 1966 was Paid Festival Holiday and whether workmen of Selected Jharia Colliery were forced to work on the said 21st October, 1966? If so, to what relief are the workmen entitled?”

2. The parties appear to have sat down together and found out that 240 workmen are affected. It has been agreed that each of these affected workmen will be paid an *ex-gratia* amount equivalent to half day's category wages (including basic, dearness allowance, V.D.A., and I.W.A. at rates obtaining at the relevant time *i.e.* October, 1966). This payment will satisfy the workmen and they will have no claim in this connection against the company. I am satisfied that the terms are fair. I, therefore, direct that an award should be passed in terms of the compromise petition which will form part of my award. The parties have agreed that they will work out the figures and will file a copy of it in the office of the Tribunal within a week from today. One of the terms agreed upon in the settlement is that payments will be made within a month from today. That term should be observed.

This is my award. Let it be submitted to the Central Government under section 15 of the Industrial Disputes Act.

(Sd.) KAMLA SAHAI,  
Presiding Officer.

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

REFERENCE NO. 19 OF 1968

## PARTIES:

Employers in relation to Selected Jharia Colliery of M/s. East Bhuggatdih Colliery Co. (P) Ltd.

AND

Their Workmen.

Represented by—Colliery Mazdoor Sangh, Dhanbad.

*Joint Petition of Compromise*

The parties above named most respectfully beg to submit as under:—

1. That this matter is pending before this Hon'ble Tribunal for adjudication.
2. That the parties have mutually discussed and submit that the dispute has been amicably settled on the following terms:—

*Terms of Settlement*

3. This dispute has arisen as a result of declaration of 22nd and 23rd October, 1966 (the latter being a Sunday) as 'paid festival holidays' on account of Durga Puja and because a section of the workmen felt that they had not been given adequate opportunity to offer worship or to celebrate Puja holiday on the 21st October, 1968, though due steps had been taken by the management to the best of their ability to ascertain the opinion of the large section of the workmen in regard to the particular days on which the holidays were to be observed.

4. The management and workmen's representatives by joint inspection of the books have ascertained and verified that the total number of workmen who actually worked at the Colliery on 21st October, 1968 in the 1st, 2nd and 3rd Shift and are affected by the present Reference are as follows:—

Miners	153	
Trammers	57	
Wagon Loaders	18	
Hazree Workers of various Carts	42	
<hr/>		
Total	240	
<hr/>		

5. Without prejudice to their respective contentions, and with the sole motive of promoting good-will and better industrial relations, and with a view to enable the affected 240 workmen to have some suitable compensatory form of recreation, Parties have mutually agreed that all the concerned workmen shall be paid *ex-gratia* amount equivalent to 1/2 day's Category wages (which shall include Basic, D.A., V.D.A. and I.W.I. at rates obtaining at the relevant time that is October, 1966.)

6. Parties have also agreed that the above mentioned *ex-gratia* amount shall be paid within a month of signing this settlement.

In the light of the foregoing, the Parties hereinconcerned respectfully pray that this Hon'ble Tribunal may graciously be pleased to accept the settlement and pass an Award in terms thereof.

And for this act of kindness, the Parties, as in duty bound, shall ever pray.

*Dated, Jharia the 5th November 1968*

*For Workmen*

S. Bose, Secy. Colliery Mazdoor Sangh.

*For Employers*

K. V. AYYAR, Dy. Labour Adviser  
Authorised Representative.  
[No. 1/52/67-LRII.]

**S.O. 4450.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Dhanbad, in the industrial dispute between the employers in relation to the Busserya Colliery of Messrs. Busserya Coal Company Private Limited, Post Office Kusunda, (Dhanbad) and their workmen, which was received by the Central Government on the 22nd November, 1968.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

**PRESENT:**

Shri Nandagiri Venkata Rao—*Presiding Officer.*

REFERENCE NO. 154 OF 1967

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

**PARTIES :**

Employers in relation to the Busserya Colliery of Messrs. Busserya Coal Company Private Limited, Post office Kusunda (Dhanbad)

AND

Their workmen

**APPEARANCES:**

For the employers—Shri S. S. Mukherjee, Executive Committee Member of the Jharia Branch of Indian Mining Federation.

For the workmen—Shri Lalit Burman, General Secretary, Bihar Koyla Mazdoor Sabha.

**INDUSTRY:** Coal.

**STATE:** Bihar.

*Dhanbad 16th November, 1968*

**AWARD**

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Busserya Colliery of Messrs. Busserya Coal Company Private Limited, Post office Kusunda (Dhanbad) and their workmen, by its order No. 2/91/66-LRII dated 2nd June, 1966 referred to the Central Government Industrial Tribunal Dhanbad, under section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication of the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below:

**SCHEDULE**

“Whether the action of the management of Busserya Colliery of Messrs. Busserya Coal Company, Private Limited Post office Kusunda (Dhanbad) in terminating the services of Shri Dujiram Bilaspuri Miner with effect from the 22nd

February, 1968 was justified? If not, to what relief is the workman entitled?"

2. The Central Government Industrial Tribunal, Dhanbad registered the reference as reference No. 105 of 1966 on its file. Employers filed their statement of demands. While it was pending before the Central Government Industrial Tribunal, Dhanbad, the proceeding was transferred to this Tribunal by the Central Government by its order No. 8/25/67-LR-II dated 8th May 1967. Consequently, the reference is renumbered on the file of this Tribunal as reference No. 154 of 1967. Workmen filed their statement of demands.

3. Shri Dujiram Bilaspuri (hereinafter referred to as the affected workman) was a pick miner and at the relevant time working as a quarry worker in Busserya colliery. A charge-sheet dated 24th December, 1965 was issued to the affected workman, alleging that on 18th December, 1965 when the Surveyor, Shri J. Ghosh, was in the work place of the affected workman for measurement of the work done by him the affected workman called him "Baiman" and obstructed him from proceeding with his usual duties of measurement, caught hold of the field book and in a violent manner forcibly got his measurement struck off, with the same violent attitude again got his name struck off and caught hold of the hand of the surveyor along with a pencil and got struck off the measurement in the field book. It was further alleged that when the surveyor was leaving the quarry the affected workman followed him and threatened to assault him. The affected workman submitted his explanation denying the charge allegation. A domestic enquiry was held on 8th January, 1966, by the Welfare Officer, who found him guilty of the charge. With the approval of the Director the affected workman was dismissed from service through the letter dated 21st February, 1966 with effect from 22nd February, 1966. These facts are not in dispute. The case of the workmen is that the affected workman was the leader of the gang of the quarry workers, that due to various adverse conditions the faulty and wrong measurement done by the service staff of the colliery and non-payment of statutory allowances, the quarry workers were not having adequate earnings, that in view of the loss of earnings the quarry workers claimed payment of minimum guaranteed wages, that the management resisted it, that the affected workman played a prominent part in getting the management agree to pay the minimum guaranteed wages and that with a view to punish the affected workmen for the just and legal stand taken by him victimised him. It is further stated that in the present case the management utilised the occasion of a dispute between the surveyor and the gang of the affected workmen over the measurement of the work done by them to get rid of the affected workman by giving it a colour of seriousness, that the domestic enquiry held by the management was a formal compliance of the procedure, that the finding of the Enquiry Officer was at the behest of the management and that the dismissal of the affected workman as a result of the finding was unjust and illegal. The plea of the employers is that the action taken by them against the affected workman was just and proper and it was for a proved misconduct of serious magnitude. The workmen were represented by Shri Lalit Burman, General Secretary, Bihar Koyal Mazdoor Sabha and the employers by Shri S. S. Mukherjee, Executive Committee Member of Jharia Branch of Indian Mining Federation. On admission by the parties, Exts. M 1 to M 7 and Exts. W 1 to W 5 were marked. No witness was examined for the workmen. On behalf of the employers a witness was examined and Exts. M 8 to M 11 were marked.

4. Ext. M 1 is the charge-sheet issued to the affected workman. It was alleged therein that on 18th December, 1965 the affected workman called the Surveyor, Shri J. Ghose "Baiman", obstructed him from proceeding with his work of measurement, caught hold of his field book, in a violent manner forcibly got the measurement and the name of the affected workman struck off and threatened him to assault. In the explanation, Ext. M 2, the charge is flatly denied by the affected workman. In the statement filed by the workmen the domestic enquiry was not denied but it was stated that it was a formal compliance. On behalf of the employers the enquiry officer is examined as MW. 1. It is in his evidence that he held the enquiry in presence of the affected workman, explaining to him the statements of 5 witnesses examined on behalf of the management and giving him an opportunity to cross-examine them. The witness further deposed that the affected workman cross-examined two of the management's witnesses, gave his own statement and examined 2 witnesses in his defence. The enquiry proceedings are Ext. M 8. The first witness examined in the enquiry was Shri J. Ghosh, the surveyor. He deposed that the affected workman said that the surveyor and his party were "Yi lok Baiman Hai, Chor Hai", that he suddenly came and stood before him and violently ordered him "Maap Kar Dejiye", that through fear the witness struck off the measurement, that again the affected workman ordered him "Nam Bi Kat Dejiye", that the witness did it in the same manner through fear, that the affected workman held the hand of the witness along with the pencil and he himself got the measurement struck off by two pencil cross lines and that when he was leaving the place the affected workman followed him and warned him "if you measure their work in such a way you all will be beaten". The witness was cross-examined by the affected workman. This evidence was supported by the remaining 4 witnesses. On

this evidence it cannot be said that the finding of the enquiry officer holding the affected workman guilty of the charge, was perverse or baseless. When I do not find any flaw in the domestic enquiry, I am not expected to go into appreciation of the evidence and substitute my own conclusion for that of the enquiry officer. The report of the enquiry officer is Ext. M 9 and Ext. M 10 shows that the Director had given his approval for dismissal of the affected workman. The dismissal letter is Ext. M 3. Exts. M 4 to M 7 are previous charge-sheets issued to the affected workman and others. There is no evidence led on behalf of the workmen in rebuttal to the evidence led on behalf of the employers. Even the affected workman is not examined. Exts. W1 to W5 are notices issued previously to the affected workmen stating that the work turned out by him was inadequate. In view of this material on record there is no room to hold that the dismissal of the affected workman was not justified. Considering the previous record of the affected workman it cannot be said that the punishment awarded to him was excessive.

6. I, therefore, hold that the action of the management of Busserya colliery of Messrs. Busserya Coal Company, Private Limited Post office Kusunda (Dhanbad) in terminating the services of Shri Dujiram Bilaspuri, miner with effect from the 22nd February, 1966 was justified and consequently, he is not entitled to any relief. The award is made accordingly and submitted under Section 15 of the Industrial Disputes Act, 1947.

N. VENKATA RAO,  
Presiding Officer,  
Central Government Industrial Tribunal (No. 2) at Dhanbad.

[No. 2/91/66-LRII]

New Delhi, the 7th December 1968

**S.O. 4451.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following Award of Shri V. P. Pratap, Assistant Labour Commissioner (Central), Jabalpur, in the industrial dispute between the employers in relation to the Banki Colliery of Messrs. National Coal Development Corporation Limited, Post Office Bankimogra, District Bilaspur (Madhya Pradesh) and their workmen Shri Janak Ram Markam, which was received by the Central Government on the 23rd November, 1968.

#### ARBITRATION AWARD

(Under Section 10-A of the Industrial Disputes Act, 1947)

[In the matter of an industrial dispute between the management of Banki Colliery (N. C. D. C. Ltd.) P. O. Bankimogra, District, Bilaspur and Shri Janak Ram Markam, Trolley Fitter, Banki Colliery, Distt., Bilaspur. (M.P.)]

**PRESENT:**

Shri Ved Prakash Pratap, Asstt. Labour Commissioner (C) Jabalpur, Arbitrator.

**APPEARANCES :**

*For the employers*—None.

*For the workmen*—Shri Rambilas Sobhanath, Secretary, M. P. Colliery Workers Federation (INTUC), Banki Branch, P. O. Bankimogra (Distt. Bilaspur) Authorised Representative.

#### AWARD

As per Arbitration Agreement dated 1st September, 1968 under Section 10-A of the Industrial Disputes Act 1947 between the management of Banki Colliery of N.C.D.C. Ltd., P. O. Bankimogra, Distt., Bilaspur (M.P.) and its workman, Shri Janak Ram Markam, Trolley Fitter (Cat. IV of L.A.T. Award) as published in the Gazette of India under Notification (No. 8/29/68-LRII) dated 5th October, 1968 by Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), New Delhi the following issue was referred to me for arbitration within a period of three months or within such further time as is extended by the parties in writing:—

“Whether the retrenchment of Shri Janak Ram Markam, Trolley Fitter (Cat. IV of L.A.T. Award), Banki Colliery of M/s. National Coal Development Corporation Ltd., with effect from 3rd September, 1966 was legal and justified ? If not, to what relief is he entitled ?”

The Arbitration Agreement further provided that in case the Award is not given within a period of three months, the reference to Arbitration would stand automatically cancelled

and the parties would be free to negotiate for fresh arbitration. On receipt of the Arbitration Agreement dated 1st September, 1968 both the parties were required under this office letter dated 21st September, 1968 to submit a brief and self-contained statement of their cases to me by 28th September 1968, endorsing copy thereof to the opposite party. They were also requested to submit rejoinder if any by 5th October, 1968 endorsing a copy thereof to the opposite party.

2. As no written-statements/rejoinders were received both the parties were requested to attend this officer for hearing on 31st October, 1968. In the meanwhile, written statements were received in respect of the workman on 18th October, 1968 and in respect of the management on 23rd October, 1968 from the respective parties. On receipt of my notice fixing the hearing on 31st October, 1968, the workman, under letter dated 14th October, 1968, requested for change of date either to 24th October, 1968 or to 15th November, 1968. On receipt of this letter the hearing was postponed to 15th November, 1968 and the parties were suitably informed.

3. On 13th November, 1968, a letter No. BNK-ARBIT(MPCWF)/10757-58 dated 9th November, 1968 was received from the Dy. Superintendent of Collieries, Banki Colliery requesting for postponement of the hearing to another suitable date preferably to 22nd November, 1968. A letter dated 8th November, 1968 was also received from the workman informing that he was coming to attend the hearing on 15th November, 1968 and that the hearing be not postponed. A telegram dated 11th November, 1968 was also received requesting not to allow adjournment. Under this office Endt. No. J-81(22)/68 dated 28th October, 1968 the parties had clearly been informed to attend the hearing on 15th November, 1968, and that no further adjournment was to be allowed. As per the Arbitration Agreement dated 1st September, 1968, the Award was to be given by 1st December 1968, and there was no sufficient time to allow any adjournment. Therefore the following telegram was sent to the management on 13th November 1968:—

"REFYOURTEL NINTH INSTANT. ADJOURNMENT NOT POSSIBLE.  
ATTEND HEARING FIFTEENTH FAILING EX-PARTES AWARD."

4. When the dispute under reference was taken up for hearing, none was present on behalf of the employers and therefore *ex parte* hearing was done. However, the following telegram dated 14th November, 1968 was received from the management on 15th November, 1968 at 5-30 p.m. when the proceedings were already concluded:—

"REFYOURTEL RECEIVED TO DAY. UNABLE TO ATTEND REQUEST  
POSTPONEMENT ONCE AS DONE FOR OPPOSITE PARTY—DYSOC".

5. In view of what has been stated above, it was not possible for me to allow any postponement. Therefore I am giving *ex parte* award as under:—

6. During the course of arbitration proceedings statement of Shri Janak Ram Markam, the workman concerned, was recorded. He deposed that he joined Banki Colliery on 23rd October, 1963 as casual labour. With effect from 17th May, 1965, he was given the designation of Trolley Fitter in Cat. IV. He received a notice dated 29th July, 1966 from the management informing that he would be retrenched from 3rd September, 1966. He did not receive any retrenchment compensation nor was any offer of payment made to him. He further stated that no seniority list was prepared nor was any displayed at the notice board.

7. The management in their written statements have stated that he had become surplus and therefore was retrenched. However, after his retrenchment, he was appointed as Assistant Teacher at Banki and Surakachar Primary School of the Tribal Welfare Department of M. P. Government. But his services as a teacher were not found satisfactory and hence was terminated.

8. The only plea taken by the management was that he was surplus and therefore retrenched.

9. Sri Rambilas Shobhanath, who had submitted written statement on behalf of the workman, had clearly stated that Shri Janak Ram was not given any retrenchment compensation nor was he retrenched in accordance with the provisions of Section 25F and G of the Industrial Disputes Act. A copy of this written statement had been forwarded to the management, but the management has not submitted any rejoinder to it.

10. Retrenchment Notice dated 29th July, 1966 given by the management to Shri Janak Ram Markam, reads as under:—

"As working in one Section of the mine has nearly been completed we regret to intimate that we do not require your service with effect from 3rd September, 1968. This letter, may therefore, be treated as retrenchment notice under Section 25 of the Industrial Disputes Act".

From the evidences available the following facts are born out:—

- (i) No seniority list was prepared and displayed at least 7 days before the actual date of retrenchment on the notice board in a conspicuous place as required under Rule 77 of the Industrial Disputes (Central) Rules 1957.
- (ii) No retrenchment compensation was either given or offered to the workman before the actual retrenchment took place.

A perusal of Section 25F of the Industrial Disputes Act 1947 clearly shows that the payment of retrenchment compensation is a condition precedent to the retrenchment of any workman.

11. Retrenchment cannot become legal unless the conditions mentioned under Section 25 are fulfilled before retrenching a workman. In the instant case no retrenchment compensation was either paid or was offered before the actual retrenchment took place. The retrenchment of Shri Janakram Markam with effect from 3rd September 1966 is therefore illegal, inoperative and void (Supreme Court in the case of State of Bombay and others *Vrs. Hospital Mazdoor Sabha, 1960-I. LLJ-251*). I therefore hold that the retrenchment of Shri Janakram Markam, Trolley Fitter with effect from 3rd September, 1966 is illegal, inoperative and void.

12. As the retrenchment is illegal, inoperative and void, the question of justifiability does not arise. As regards relief, Shri Janakram Markam should be treated to be continuously in employment without any break of service since the date of his retrenchment; i.e. from 3rd September, 1966, which I have held to be illegal, inoperative and void and therefore award that he be reinstated with full back-wages. However, any wages earned by him during the period of his employment as Assistant Teacher at Banki-Surakachhar Primary School of the Tribal Welfare Department of Madhya Pradesh Government shall be set off against his back-wages. I award accordingly.

Jabalpur, dated the 20th November, 1968.

(Sd.) **VED PARKASH PRATAP**, Arbitrator.  
Assistant Labour Commissioner (Central) Jabalpur.  
[No. 8/29/68-LRH.]

### ORDERS

*New Delhi, the 4th December 1968*

**S.O. 4452.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Simlabahal Colliery, Post Office Jharia (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, Therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal (No. 2) Dhanbad, constituted under section 7A of the said Act.

### SCHEDULE

Whether the management of Simlabahal Colliery Post Office Jharia (Dhanbad) was justified, in stopping from work Sarvashri Prabhu Shaw, Surface Trammer and Lalji Mahato, Prop Mistry, with effect from the 6th May, 1968 and the 2nd April, 1968 respectively? If not, to what relief are these workmen entitled?

[No. 2/198/68-LRH.]

**S.O. 4453.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Sendra Colliery of Messrs Hind Shippers (Private) Limited, Post Office Bansjora, District Dhanbad and their workmen in respect of the matters specified in the Schedule here to annexed;

And Whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal (No. 1), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Sendra Colliery of Messrs Hind Shippers Private Limited, Post Office Bansjora, District Dhanbad, was justified in retrenching Shri Gobardhan Singh, Attendance Clerk, with effect from the 31st July, 1968? If not, to what relief is the workman entitled?

[No. 2/211/68-LRII.]

CORRIGENDUM

*New Delhi, the 6th December 1968*

**S.O. 4454.**—In the notification of the Government of India in the Ministry of Labour; Employment and Rehabilitation (Department of Labour and Employment), dated the 13th May, 1968, published as S.O. No. 1833 in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 25th May, 1968, at pages 2421 to 2424, the Central Government hereby publishes the following corrections made under rule 28 of the Industrial Disputes (Central) Rules, 1957, by an Order No. 6 dated the 17th May, 1968, of the Central Government Industrial Tribunal (No. 2) at Dhanbad, in its award dated the 30th April, 1968, in the industrial dispute between the employers in relation to the Burakur Coal Company Limited—Managing Agents, Messrs Bird and Company (Private) Limited, Post Office Sijua (District Dhanbad) and their workmen namely:—

“In paragraph 3 of the award aforesaid, delete the sentence beginning with the words ‘As per the terms’ and ending with the figure and the word, ‘30 months.’”

[No. 2/78/67-LRII.]

BALWANT SINGH, Under Secy..

(Department of Labour and Employment)

*New Delhi, the 3rd December 1968*

**S.O. 4455.**—Whereas the State Government of Uttar Pradesh has, in pursuance of clause (d) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), nominated Sri Dasrath Singh, Labour Commissioner, Uttar Pradesh, Kanpur, to represent that State on the Employees' State Insurance Corporation in place of Shri J. N. Tewari;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2551 dated the 9th August, 1966, namely:

In the said notification, under the heading “(Nominated by the State Governments under clause (d) of section 4)”, for the entry against item 20, the following entry shall be substituted, namely:—

“Sri Dasrath Singh, Labour Commissioner, Uttar Pradesh, Kanpur.”

[F. No. 3(18)/66-HI.]

*New Delhi, the 4th December 1968*

**S.O. 4456.**—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees Provident Funds Act, 1952 (19 of 1952), the Central Government hereby rescinds the notification of the Government of India in the late Department of Social Security, No. S.O. 3521, dated the 25th September, 1964, appointing Shri S. A. Vaidya to

be an Inspector for the whole of the State of Madhya Pradesh for the purposes of the said Act.

[No. 21(2)/68-P.F.I.]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 5th December 1968

**S.O. 4457.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of Shodhan Hudki Manganese Mines, Post Office Tirodi, District Balaghat (Madhya Pradesh) and their workmen, which was received by the Central Government on the 27th November, 1968.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT  
1600, WRIGHT TOWN, JABALPUR (M.P.)

Dated the, 18th November 1968

PRESENT:

Sri G. C. Agarwala—*Presiding Officer*,

CASE No. CGIT/LC(R)(46) OF 1968

PARTIES:

Employers in relation to the management  
of M/s. Shodhan Hudki Mine, Balaghat (M.P.)

*Versus*

Their workmen represented through the General Secretary, Samyukta Khadan Mazdoor Sangh, P.O. Tirodi, Distt. Balaghat (M.P.)

APPEARANCES:

For the employers—Sri J. K. Chowdhury, Advocate.

For workmen—Sri S. D. Mukerjee for the Union.

INDUSTRY: Manganese Mine.

DISTRICT: Balaghat (M.P.)

AWARD

By Notification No. 35/12/68-LRI, dated the 2nd August, 1968, the Ministry of Labour, Employment and Rehabilitation, Government of India (Department of Labour and Employment), referred the following matter of dispute as stated in the schedule to the order of reference, to this Tribunal for adjudication:—

*Matter of Dispute*

I. Whether the action of Sarvashri J. A. Trivedi Brothers, the management of Shodhan Hudki Manganese mines, Balaghat District in dismissing Shri Kcja, S/o Jiwan, Ex-pump driver, with effect from the 11th February, 1968, was justified?

II. If not, to what relief is the workman entitled?

2. After pleadings were filed certain additional issues were framed on 9th October, 1968. The case was then posted for hearing for this date. The parties, however, compromised the dispute and a compromise petition has been filed which is an annexure to this award. The workman concerned has settled the claim with the employers on receipt of Rs. 600/- in full and final settlement of the claim and has resigned from employment. The Union which sponsored the dispute has also accepted and endorsed the settlement. The compromise is a fair and just settlement of the dispute and accepting the same an award is recorded in terms thereof.

Dated the 18th November 1968

(Sd.) G. C. AGARWALA, Presiding Officer.

*Memo of Settlement*

I, Kejo son of Jiwan, a workman of Shodhanhudki Manganese Mine (belonging to M/s J. A. Trivedi Brothers) represented by Samyukta Khadan Mazdoor Sangh, P.O. Tirodi, District Balaghat, hereby agree that I have settled my case [Ref. No. CGIT/LC (R) (46)/68] amicably with the employers M/s. J. A. Trivedi Brothers, for a total sum of Rs. 600/- (Rupees Six hundred) only in full and final settlement of my claim. I further declare that I have resigned from the concern and that no due is receivable by me from the employers.

I further declare that I have no claims and that nothing is due to me from the employers.

I agree to withdraw the case; Ref. No. CGIT/LC(R) (46)/68 which was pending before the Central Government Industrial Tribunal-Cum-Labour Court at Jabalpur.

(Sd.) Kejo s/o Jiwan,  
Workman.

(Sd.) J. K. CHOWDHURY,  
For J. A. Trivedi Brothers,  
(Sd.) R. A. Trivedi, Partner.

Witness :-BHUPALSINGH BHARDWAJ  
Balaghat;

(Employers)

Dated 16 November, 1968  
(Sd.) S. D. Mukerjee

Witness:-Illegible.

**PART OF AWARD**

(Sd.) G. C. AGARWALA,  
Presiding Officer.

Dated, 18th November, 1968.

[No. 35/12/68-LRI.]

*New Delhi, the 6th December 1968*

**S.O. 4458.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Dhanbad, in the industrial dispute between the employers in relation to the Calcutta Insurance Limited, Calcutta and their workmen, which was received by the Central Government on the 27th November, 1968.

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD**

**PRESENT:**

Shri Nandagiri Venkata Rao—*Presiding Officer*.

**REFERENCE NO. 6 OF 1968**

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

**PARTIES :**

Employers in relation to the Calcutta Insurance Limited, Calcutta

AND

Their workmen

**APPEARANCES :**

For the employers—Shri J. Gupta, Labour Adviser.

For the workmen—Shri Hiralal Ray, Vice President,

AND

Shri Satindra Nath Roy Chowdhury, General Secretary, Calcutta Motor Workers Union.

STATE: West Bengal.

INDUSTRY: Insurance Company.

*Dhanbad, 21st November 1968.*

**AWARD**

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the Calcutta Insurance Limited, Calcutta and their workmen,

by its order No. 25/15/68/LRII dated 20th June, 1968 referred to this Tribunal under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below:

#### SCHEDULE

"Whether the under-mentioned persons are workmen of M/s. Calcutta Insurance, Limited, Calcutta. If so, to what relief are they entitled and from what date?

1. Shri Marhaba Khan (Alias Makbul Khan),

2. Shri Surendar Sah,

2. Employers as well as the workmen filed their statement of demands.

3. The employers, Calcutta Insurance Limited, Calcutta (hereinafter referred to as the company) are presently carrying on business of general insurance, having their head office at Calcutta. Shri M. R. Das Gupta is the Managing Director of the Company. The company has as its employees more than 50 persons in its head office. The company owns two motor cars and they are driven by Sarvashree Marhaba Khan (Alias Makbul Khan) and Surendar Sah (hereinafter referred to as the affected workman). The affected workman, Shri Makbul Khan has been working for more than 8 years on a consolidated salary of Rs. 190/- per month and the other affected workman, Shri Surendar Sah for about 2 years on a total monthly salary of Rs. 160/-. The case of the workmen is that the two affected workmen are employees of the company, but the company is depriving them of the benefits of provident fund, leave wages, overtime wages, dearness allowance, bonus, gratuity, medical aid, etc. enjoyed by other employees of the company and inspite of their letters, the two affected workmen are not treated as employees of the company. The stand of the company is that the two affected workmen are private employees of Shri M. R. Das Gupta, the Managing Director of the company, driving the cars of the company which are permitted by the company for private use of Shri M. R. Das Gupta as well as the company's use. The company has pleaded as a legal objection that the dispute involved in the reference is not an industrial dispute as defined in Section 2(k) of the Industrial Disputes Act, 1947. The workmen were represented by Shri Hirhal Ray, Vice President, Calcutta Motor Workers Union and the company by Shri J. Gupta, Labour Adviser. By consent of parties, Exts. W1 and W2 for workmen and M1 and M2 for the company were marked. On behalf of the workmen the two affected workmen were examined as WW.1 and WW.2 and Exts. W3 to W26 and Exts. M3 to M7 were marked. On behalf of the company 2 witnesses were examined and Exts. M8 to M61 were marked. During the course of the enquiry the workmen requested the Tribunal to direct the company to produce their cash book or cash books in respect of payments to their employees for the period from January, 1967 to the end of December, 1967 and all vouchers on which payments were made to the two affected workmen from the time of their appointment. On the direction by the Tribunal the company produced cash books for 1967 and 50 items of vouchers and receipts and submitted explanation for not producing the rest of the vouchers called for. By consent of the workmen all the cash books were returned and vouchers and receipts were marked as Exts. M8 to M58.

4. The primary question for consideration is whether the two affected workmen were employees of the company as claimed by the workmen or private employees of Shri M. R. Das Gupta as pleaded by the company. The oral evidence brought on record on behalf of the workmen is only of the two witnesses, who are the two affected workmen. Shri Makbul Khan, WW.1 has in his evidence that he has put in 8 years of service and is drawing a monthly salary of Rs. 190/-. It is admitted by him that he was not given any appointment letter by the company, he does not mark his attendance in the attendance register as is done by the other employees of the company and he never signed on the payment register. Shri Surendar Sah, WW.2 has deposed that he is in the service of the company since about 2 years on a monthly salary of Rs. 160/-. He does not get any dearness allowance, provident fund, leave wages, overtime wages, bonus, gratuity or medical aid. He has also conceded that he was not given any appointment letter. He has admitted that there is an attendance register for employees of the company but he does not sign it. He is aware that the employees of the company affix their signatures on the payment registers and receive their wages, but he does not sign the register while receiving his pay. In the statement of demands filed by them the workmen had specifically pleaded in para 14 that the two affected workmen were receiving their salaries on the payment register before the present dispute was raised and subsequent to the dispute the system of paying them on vouchers was introduced by the company. But both the affected workmen have specifically conceded that they do not sign payment register. Not a word is spoken by them that they had signed the payment register at any

time before the dispute arose. On 17th August, 1968 Shri Hiralal Ray, the learned representative of the workmen had made an oral request to the Tribunal to direct the company to produce their "cash book or cash books in respect of payment to their employees for the period from January, 1967 to the end of December, 1967 and also vouchers on which payments were made to the two affected workmen from the time of their appointments". But the workmen did not even call for any payment register. The cash books produced by the company were scrutinised by the workmen and were returned to the company on the consent of the workmen. No. cash book is marked as an Exhibit. The vouchers produced by the company are Exts. M8 to M58. All the vouchers show that the company had paid to the two affected workmen their salaries and allowances through Shri M. R. Das Gupta, Managing Director, debiting the amounts so paid to the motor car expenses account. The plea of the company is that the two cars driven by the affected workmen belong to the company and the company was bearing all the expenses incurred on the two cars, inclusive of the salaries and allowances of the drivers, but the drivers were the private employees of the Managing Director. Shri M. R. Das Gupta and whatever amounts were paid by him towards expenditure on the cars, inclusive of the salaries and allowances of the drivers, and reimbursed to him. These vouchers, Exts. M 8 to M 58 are in accordance with the plea taken by the company and supports it. Further, the Central Government Industrial Tribunal, Dhanbad had passed an award in Reference No. 86 of 1963 on 25th April, 1964, adjudicating an industrial dispute between the same company and its employees. The reference covered by the award was—

"Whether the terms and conditions of service of the workmen in the Calcutta Insurance Limited in respect of all or any of the following matters require any revision, and, if so, to what extent and from which date?

- (1) Classification of Employees.
- (2) Scales of Pay
- (3) Dearness Allowance
- (4) Adjustment in the scales.
- (5) Recruitment and Promotion.
- (6) Confirmation of Employees.
- (7) Overtime Allowance.
- (8) Privilege and Sick Leave.
- (9) Allowance during suspension.
- (10) Provident Fund.
- (11) Gratuity.
- (12) Retirement age.
- (13) Medical Facilities."

The award shows that the Tribunal accepted the classification of employees given by the company and classified the employees in three categories and fixed the following grades for them:

Grade A.—Sub-staff—such as Bearers, Peons, Watchmen, etc.

Grade B.—Filing Assistant, and

Grade C.—Assistants such as Senior Assistants, Accountants, Typists, Office Assistants, Sectional Heads, etc.

Keeping in view the maximum concessions of the company and the minimum concessions of the union, the Tribunal revised the wage scales, scales of pay, as follows:

Grade A.—Sub Staff Rs. 30—2—40—3—70—EB—5—95 (20 years).

Grade B.—Filing Assistants Rs. 40—3—70—4—90—EB—5—135 (24 years).

Grade C.—Assistants. Rs. 75—5—95—8—135—EB—10—195—EB—15—270—EB—25—320 (22 years).

It can be seen from the above that the drivers were not included in any of the categories nor were their salaries fixed or revised. It must be remembered that the affected workman, Shri Makbul Khan is in service since more than 8 years and if he was an employee of the company or if he had claimed to be so there is no reason why he, as a driver, should not appear in the Award. There is no explanation coming forth why he had acquiesced or kept quite when he was not treated as an employee of the company. Ext. M1 is a settlement arrived at between the same company and the General Insurance Employees Association representing the employees of the company. This settlement covered all employees of the company in its head office and branch offices. As per the settlement the classification of employees as determined by the Award, Ext. M2 was

allowed to remain the same but their scale of pay was revised. This settlement took place on 29th April, 1968. In this settlement also the drivers have not appeared. Shri Makbul Khan, WW. 1 has deposed that he is aware of the settlement arrived at between the company and its employees before the Regional Labour Commissioner (C) Calcutta and after the settlement he had submitted an application to the company to pay him pay and other emoluments as were paid to other employees of the company. But there is no explanation why he had not put forth his claim at the time of or before the settlement and kept quite over his rights, if he was conscious then that he was an employee of the company. Shri Surendar Sah, WW.2 is also aware of the settlement, Ext. M1. He also did not agitate at the time of the settlement about his rights. On behalf of the workmen several documents are brought on record. Ext. W.1 is dated 20th July 1968; long after the reference was made and it shows that the French Motor Car Ltd. was requested by the company to hand over to the bearer a jug which was not given by them at the time of the delivery of the car. Ext. W.2 was an authorisation letter of the company in favour of the affected workman, Shri Makbul Khan describing him as a driver, Calcutta Insurance Ltd. to produce the vehicle from the garage to Howrah Court. Ext. W.3 is a letter to the company by the affected workman, Shri Makbul Khan to extend all the benefits enjoyed by the employees of the company to him. Exts. W4, W5 and W6 are letters on behalf of the affected workmen claiming their right to be treated as employees of the company. Exts. W.7 to W.16 and W.19 to W.23 are chalans showing that the vehicles were handed over to the affected workmen after repairs. Exts. W. 17 and W.18 are again letters to the company by the affected workmen to treat them as employees of the company. Exts. W. 24, 25 and 26 are receipts, etc., of the affected workman, Shri Surendar Sah regarding his membership of the Calcutta Motor Workers Union. From the above I do not find any support to the case of the workmen that the two affected workmen were employed by the company or ever treated as such. The company merely describing the affected workman, Shri Makbul Khan in Ext. W2 as "driver, Calcutta Insurance Ltd." does not clinchingly prove that he was a driver or an employee of the company. I am also referred to a discrepancy in the evidence of the Managing Director, Shri M. R. Das Gupta, MW. 2, that the company does not reimburse him the moneys paid by him to the drivers and that there was no question of his reimbursing the salaries paid to the affected workman by the company. He has clarified that all expenses on the cars are borne by the company, inclusive of the salaries of his two personal drivers by debiting motor car expenses account and handing over the money to him for payment to the two affected workmen. On this evidence it is not possible to hold that the two affected workmen are employees of the company.

5. The company has raised a specific legal objection that the dispute involved in the reference is not an industrial dispute as defined in Section 2(k) of the Industrial Disputes Act, 1947. Their case is that the present dispute has not been sponsored by the union of the workmen of the company and that no workman of the company was a member of the union which has espoused the dispute. "Industrial dispute", as per section 2(k) of the Industrial Disputes Act, 1947 "means any dispute or difference between employers and employers, or between employers and workmen, or between workmen and workmen, which is connected with the employment or non-employment or the terms of employment or with the condition of labour of any person". This definition is vital to the jurisdiction of an Industrial Tribunal since it is generally confined by the reference to the determination of "industrial dispute". The subject matter may relate to any of two matters—(1) employment or non-employment, and (2) terms of employment or conditions of labour of any person; these necessarily import a limitation. A person in respect of whom the employer employee relation never existed or can never possibly exist cannot be the subject matter of a dispute. The statute contemplates only settlement of disputes involving the rights of workmen as a class and not disputes which merely touch individual rights of a single workman. In other words, it must be a dispute between employers on one hand and employees acting collectively on the other. An element of collective bargaining, which is the essential feature of modern trade union movement is necessarily involved in industrial adjudication. That is the reason why industrial tribunals deal with disputes in relation to individuals cases only where such disputes assume the character of an industrial dispute by reason of the fact that they are sponsored by the union or have otherwise been taken up by a group or body of employees. If the workmen have no direct substantial interest in the employment or non-employment of a person or in his term of employment or his conditions of labour, than an industrial dispute cannot arise with regard to such person. Thus, to convert an individual dispute into an industrial dispute the dispute must be sponsored by the union of the workmen of the industry or by substantial number of workmen of the industry. For the above reason an outside agency which has nothing to do with the workmen of the industry cannot espouse a case of a workman of the industry to bring it within the meaning of an industrial dispute. However, an outside union can, by supporting an individual workman, convert an individual dispute into an industrial dispute, provided a large number of workmen of the concerned industrial unit or a majority of them are members of such a union. In this view of law, I find the objection taken by the

company is quite sound. As I have already held, the two affected workmen were not the employees of the company and for this reason alone the dispute relating to them cannot be an industrial dispute. The present dispute is sponsored by Calcutta Motor Workers Union. According to the company General Insurance Employees Association, Calcutta is a union of which employees of all insurance companies at Calcutta are generally members. Ext. M1 shows that the case of the workmen of the company was espoused by General Insurance Employees Association which ended in a settlement on 29th April, 1968. In the Reference No. 86 of 1963 the industrial dispute involved was between the company and their workmen represented by General Insurance Employees Association, Calcutta. But the present dispute is sponsored by Calcutta Workers Union. Both the witnesses, WW. 1 and WW. 2 examined on behalf of the workmen said that they are members of the Calcutta Motor Workers Union, but could not name any other workman of the company who was a member of the union. WW. 2 is aware of General Insurance Employees Association. He has also conceded that all employees of all insurance companies functioning at Calcutta are its members. Thus, there is no evidence that majority or a substantial number out of about 50 employees of the company working in its head office are members of Calcutta Motor Workers Union or that the dispute relating to the two affected workmen was sponsored by a substantial number of workmen of the company. Hence, the dispute involved in the reference is not an industrial dispute.

6. As a result of my above discussion I find that the two affected workmen, Sarvashri Marhaba Khan (Alias Makbul Khan) and Surendar Sah are not workmen of M/s. Calcutta Insurance, Limited, Calcutta, and as such, they are not entitled to any relief. The award is made accordingly and submitted under Section 15 of the Industrial Disputes Act, 1947.

(Sd/-) N. VENKATA RAO, Presiding Officer,  
Central Govt. Industrial Tribunal (No. 2),  
Dhanbad

[No. 25/15/68/LRIII.]

**S.O. 4459.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi in respect of a complaint under section 33A of the said Act filed by Shri Lakhi Ram Gupta, of the Central Bank of India Limited, which was received by the Central Government on 26th November, 1968.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri R. K. Baweja, Central Government Industrial Tribunal, Delhi.

*New Delhi, the 20th November 1968*

COMPLAINT U/S. 33A OF THE INDUSTRIAL DISPUTES ACT, 1947

COMPLAINT I. D. NO. 1 OF 1967

Shri Lakhi Ram Gupta, C/o. Shri Tokh Ram Stamp Vendor, Jhajjar Road, Rohtak.  
*Complainant.*

*VERSUS*

The Central Bank of India Ltd., Head Office, Bombay.

*Respondent.*

Shri H. L. Parvana—for the complainant.

Shri Chaman Lal Chopra—for the respondent.

IN THE MATTER OF REF. NO. CGIT 42 OF 1964 (PENDING BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY)

AWARD

This is a complaint under section 33A of the Industrial Disputes Act, 1947, by one Shri Lakhi Ram Gupta against the Central Bank of India Ltd., alleging that the respondent has been guilty of a contravention of the provisions of section 33 of the Act. This complaint was filed before the Central Government Industrial Tribunal, Bombay in view of the pendency of an industrial dispute No. CGIT 42 of 1964 before that Tribunal but it was subsequently transferred to this Tribunal by the Central Government *vide* Order No. F.55/15/67/LRIII dated 4th September, 1967.

2. The matter was fixed for arguments today but the parties reported having arrived at an amicable settlement and a memorandum of settlement was jointly filed by Shri Lakhi Ram Gupta along with Shri H. L. Parvana and Shri Chaman Lal Chopra. All the above-named representatives verify the terms of the settlement Annexure "A" and seek an award

in terms thereof. I, accordingly, pass an award in terms of the settlement Annexure "A" which shall form part of the award.

20th November, 1968.

(Sd.) R. K. BAWEJA,  
Central Govt. Industrial Tribunal, Delhi.

ANNEXURE "A"

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI

L.C.A. No. 36 OF 1967

Complaint under Section 33A of Industrial Disputes Act 1947 arising out of reference No. CGIT 42 of 1964.

Shri Lakhi Ram Gupta, C/o. Shri Tokh Ram, Stamp Vendor, Jhajjar Road, Rohtak.  
*Applicant.*

*Vs.*

The Central Bank of India Ltd., Head Office, Bombay.—*Opposite Party.*

The parties to the above dispute have arrived at the following settlement and pray to the Hon'ble Industrial Tribunal that it should be pleased to pass its award in terms of the settlement:—

*Terms of Settlement*

1. The Bank agrees to reinstate Shri Lakhi Ram Gupta in its services and on his reinstatement as on 20th November, 1968 the basic pay of Shri Lakhi Ram Gupta shall be fixed at one step lower than stage to stage of basic pay to which Shri Lakhi Ram Gupta would have been entitled to had he not been discharged but continued to be in service.
2. Shri Lakhi Ram Gupta will not be entitled to any wages from the date of his discharge from service to the date of his reinstatement i.e. from 5th May, 1964 to 19th November, 1968.
3. Shri Lakhi Ram Gupta shall not be entitled to any contribution from the Bank towards the provident fund for the period 5th May, 1964 to 19th November, 1968. Similarly, Shri Lakhi Ram Gupta shall not be entitled to any amount of Bonus for the said period or any other amenities whatsoever for the said period.
4. Shri Lakhi Ram Gupta shall not be entitled to raise any claim towards payment of any dues on any account for the period from 5th May, 1964 to 19th November, 1968.
5. Shri Lakhi Ram Gupta assures that he shall be careful in discharge of his duties and shall not give any chance of complaint to the Bank about his behaviour and conduct.
6. The Bank shall be at liberty to post Shri Lakhi Ram Gupta in any department, it decides, in any Branch at Rohtak or any where else.
7. The Bank agrees to pay a sum of Rs. 500/- as a compensation to Mr. Lakhi Ram Gupta as a gesture of goodwill.

For and on behalf of The All India Bank Employees Association.

(Sd.) H. L. PARVANA, Secy.

Date 20th November, 1968.

For and on behalf of The Central Bank of India Ltd.

(Sd.) C. L. CHOPRA, Legal Adviser.

(Sd.) LAKHI RAM GUPTA, Applicant.

[No. 55/15/67-LRIII.]

S.O. 4460.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi, in the industrial dispute between the employers in relation to the S. S. Light Railway Company Limited and their workmen, which was received by the Central Government on the 26th November, 1968.

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

Shri R. K. Baweja, Central Government Industrial Tribunal, Delhi.

19th November, 1968

C.G.I.D. No. 6 of 1966

BETWEEN

The employers in relation to the S. S. Light Railway Company Ltd.

AND

Their workmen.

Shri Harish Chandra—*for the company.*

Shri Y. D. Sharma—*for the workmen.*

AWARD

By Order No. 2/22/65/LR-IV, dated the 8th June, 1966, the Central Government referred the following dispute for adjudication to this Tribunal between the employers in relation to the S. S. Light Railway Company Ltd., (hereinafter to be referred as the company) and their workmen:—

"Whether the demand of the workmen employed by the S. S. Light Railway Co. Ltd., Saharanpur for payment of bonus equivalent to two months' wages as bonus for the year 1960-61 is justified? If not, to what relief are the workmen entitled?"

2. The secretary of the Shahdara Saharanpur Railway Workers' Union filed a statement of claim on behalf of the workmen. It was alleged that the company owned and operated the railway system known as Shahdara Saharanpur Light Railway between Saharanpur and Delhi-Shahdara, covering 92.50 miles and that it was the largest light railway out of the five light railways under the railway organisation of Martin Burn Limited. The other four railways under the organisation of Martin Burn Limited are A. S. Light Railway and F. I. Light Railway in Bihar and H. A. Light Railway and H.S. Light Railway in Bengal which, it is stated, are governed by one service regulation book as the S.S. Light Railway. In the disputed year of 1960-61, the union alleged, the company paid 40 days bonus to each workman of the other four sister railways while no bonus was paid to the workmen of the S.S. Light Railway, in spite of the fact that the S.S. Light Railway is the main earner and that the balance-sheet for the year in question was so manipulated by the company so as to show losses with a view not to give any bonus to its workmen. It was, therefore, prayed that there should be no discrimination in the payment of bonus between the line staff of the different railways managed by Martin Burn Ltd. and that it be directed to pay two months' wages as bonus to each of its workmen employed in the S.S. Light Railway.

3. The company filed its own written statement in which it took a preliminary objection that the claim of the workmen for the year 1960-61 preferred in September, 1964 was belated inasmuch as the accounts of the company for that year had been published on the 4th of September, 1961 but no demand was made till the 12th of September, 1964, i.e. after a lapse of 3 years. On merits, it was admitted that the S.S. Light Railway was owned by the company and that the income of this Railway was higher than any of the Light Railways in Bengal and Bihar of which Martin Burn Ltd. were the managing agents/secretaries and treasurers. It was added that the income alone was not germane to the issue without being related to the corresponding cost of running the Railway. The head office of all these railways is at Calcutta and 45 per cent of the head office expenses are met by the S.S. Light Railway and the remaining 55 per cent by the other railways. The union's allegation that each railway should contribute equally to the expenses of the head office was controverted and it was pleaded that this formula of contribution to the head office expenses by the railways was arrived at on the basis of the work done for each railway. The other four railways, according to the company, were not owned by the S.S. Light Railway but had their respective owners, Martin Burn Ltd., being the managing agents of the S.S. Light Railway and Secretary and Treasurers of the other four railways. As those four railways did not suffer any loss, bonus was paid to its workmen but the state of affairs in the case of S.S. Light Railway was different as was apparent from the balancesheet for the year 1960-61 which indicated that there was a deficit of Rs. 3,91,208/- even when no deductions were made in respect of the rehabilitation charge. It was, therefore, urged that the claim of the workmen was belated and that the company was not in a position to pay any bonus to its employees for the year 1960-61. Rejoinders were also filed by the parties in which their respective positions were reiterated.

4. The first point that arises for determination is, if the claim for bonus for the year 1960-61 is belated. It is not in dispute that the accounts of the company for the year ending on 31st March, 1961 were published on the 4th of Sept., 1961 and the demand for bonus was made by the union on behalf of the workmen on the 12th of September, 1964, *i.e.*, after a lapse of three years. It is true that no period of limitation has been prescribed under the statute within which a demand for bonus be made, but there is ample authority on this point that belated claim for bonus should not be accepted. In this connection my attention was drawn by the learned representative for the company to a dispute between Mysore City Hotels Association and the Labour Appellate Tribunal of India and others (1957-ILLJ 282). His lordship of the Madras High Court held, that the principle was well established by a series of decisions by the Labour Appellate Tribunals that if the claim for bonus was made long after the year for which the bonus was claimed had ended and the accounts had been closed, the tribunals would be justified in rejecting such a belated claim. In that case, the claim for bonus for the year ending on 30th June, 1948 was made seventeen months after the year had ended and after the profits of the partnership had been ascertained and distributed among the partners. The Labour Appellate Tribunal allowed such belated demand for bonus but when the matter went to the High Court, that order was quashed and it was held that the Labour Appellate Tribunal flouted the principles well established by their earlier decisions. In the present case the demand for bonus was made after an expiry of more than three years which is a period longer than the one mentioned in the above cited authority. The claim of the union for bonus is, obviously, belated and ought to be rejected in view of the rule of law laid down by his lordship of the Madras High Court. The learned representative for the workmen was not in a position to cite any authority to the contrary. So on this short ground the workmen are not entitled to any bonus and their claim ought to be rejected.

5. On merits also I feel that the workmen are not on a firm ground. The audited balancesheet for the year 1960-61 of the company which has been admitted by the learned representative for the workmen has been placed on the file. The workmen as well as the company have also filed their calculation charts showing available surplus. In the chart filed by the company, the available surplus on revenue account at page 4 of the balancesheet was Rs. 92,030/- and adding interest to it, it came to Rs. 1,09,593/-. From this amount, the earnings of the earlier years *i.e.*, June, 1958 to March, 1959 and 1959-60 (upto February, 1960), amounting to Rs. 2,13,262/- included in the year 1960-61, were deducted. Exception was taken by the learned representative for the workmen and he argued that this amount could not be deducted from the profits of the year 1960-61 and that it should have been added to the earnings of that year. The contention of the learned representative for the company was that this amount cannot be availed of for the distribution of bonus in view of the rule of law laid down by their lordships of the Supreme Court in the case between Associated Cement Companies, I.td. and their workmen (1959-ILLJ 644). It was held that, in working out the formula another important factor which should not be ignored is that the formula proceeds to deal with the labour's claim for bonus on the basis that the relevant year for which bonus is claimed is a self-sufficient unit and the appropriate accounts have to be made on the notional basis in respect of the said year. It is because substantially of this basic assumption that if an employer receives during the bonus year a refund with respect to the excess profits tax paid by him in a previous year the amount of refund is not included on the credit side. The same principle governs cases where owing to a loss incurred in the previous year or years the employer is entitled to claim allowance for adjustment which the employer claims cannot be taken into account in determining the amount of income-tax payable on the profits of the bonus year under the formula. So, if the bonus year is taken as a unit self-sufficient by itself, then any earnings and loans of the previous years cannot be taken into account in that year. No authority to the contrary was cited and in view of this rule of law, the amount of Rs. 2,13,262/- was correctly deducted from the balance of the revenue account of the bonus year. The debenture interest paid by the company was shown in the chart on the debit side and the deficit came to Rs. 2,29,662/-. Then further deficit on return on capital at 6 per cent. on Rs. 15,00,000/- and the return on working capital at 4 per cent. on Rs. 17,88,648/- were added and the total deficit, according to the calculation of the company, amounted to Rs. 3,91,208/-.

6. Now I shall take into consideration the chart filed by the workmen. As mentioned earlier, the management pays 45 per cent. of the contribution towards the expenditure of the head office. This has been shown as Rs. 4,83,977/-. Exception was taken to this amount but it is apparent from the evidence on record that this amount was being paid for a very long time in accordance with the agreement with Martin Burn Ltd. So, this legitimate charge on the earnings of the railway has to be made by the head office. I cannot understand as to how loans and advances estimated to be Rs. 80,506/- in the chart filed on behalf of the workmen can be said to be an income to the company. The same line of argument will apply to renewal and replacement fund. In determining the question as to whether the industry has made profit, and, if so, how much is the net surplus in a given year, provision has first to be made in respect of prior charges. According to this

principle, distributable surplus has to be ascertained after providing from the gross profits for (1) depreciation, (2) rehabilitation, (3) return at 6 per cent. on the paid up capital, (4) return on the working capital at a lesser but reasonable rate, and (5) for an estimated amount in respect of the payment of income-tax. This was laid down by their lordships of the Supreme Court in a case between Sree Meenakshi Mills Ltd., and their workmen (AIR 1958-SC-153). Keeping in view this principle and from the chart prepared by the company from the balance-sheet placed on the file, it is obvious that the deficit calculated by them was correct. Even if the earnings of the earlier years amounting to Rs. 2,13,262/- are taken into account still the company will be under deficit to the tune of more than Rs. 1,77,946/-. I am, therefore, inclined to take the view that there was no available surplus money left in the year 1960-61 after meeting the prior charges, which are necessary as held by their lordships of the Supreme Court. So, on merits also, the claim of the workmen does not seem to be justified and is liable to be rejected. The award is, therefore, made accordingly.

(Six pages).

19th November, 1968.

Sd/- R. K. BAWEJA,

Central Govt. Industrial Tribunal, Delhi.

[No. 2/22/65-LRIV.]

O. P. TALWAR, Under Secy.

